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Fayed and security chief bailed

Harrods boss arrested over safe deposit

BY ANDREW PIERCE AND STEWART TENDLER

MOHAMED AL FAYED was arrested yesterday over allegations that Harrods employees broke into a safe deposit box owned by his business rival Tiny Rowland.

Mr Fayed, who went voluntarily to Kennington police station yesterday morning, was arrested and questioned in the presence of his solicitor for 45 minutes. He was released on bail and ordered to return to the station in June. John McNamara, the director of security at Harrods who is a former chief superintendent of the fraud squad, was also arrested. Mark Griffiths, who was Mr Fayed's personal assistant, and Paul Handley-Greaves, his bodyguard, will be questioned today.

Harrods has admitted that the box — containing confidential documents and jewellery worth thousands of pounds — was broken open, but has denied that Mr Fayed was involved.

Scotland Yard confirmed yesterday that "a man in his sixties" had been arrested in connection with allegations of theft and criminal damage, but refused to disclose his identity. Harrods, however, said that Mr Fayed had gone to the police station "to clear this thing up for once and for all". A spokesman denied that he had moved to avoid the embarrassment of an arrest at the store, rather he had decided that it was the right thing to do in the face of a "fussillade" of allegations from Mr Rowland.

The arrests are the latest twist in the feud between Mr



Fayed wants "to clear this up for once and all"

Fayed and Mr Rowland which began in the 1980s with the battle to win control of the House of Fraser group.

Last night Mr Rowland welcomed the police action, saying: "It was the right thing to do. These are serious allegations. I will pursue this with every breath in my body. Justice must and will prevail."

Mr Rowland had issued a High Court writ three months ago claiming that Mr Fayed led a conspiracy to break into his safe deposit box and remove letters, tapes and jewels without his consent. But a statement on behalf of Mr Fayed at the time "categorically denied" all the allegations. The allegations about the safe deposit had first been levelled by Neil Hamilton, the former Tory MP for Tatton, last October as he defended himself against allegations that he was paid by Mr Fayed to ask parliamentary questions. Giving evidence before the Commons standards and privileges committee, Mr

Hamilton read a signed statement from Bob Loftus, who was Harrods' head of security from 1987 until 1996.

According to that statement — which was dismissed by Harrods as the invention of an disaffected employee — Mr Fayed had not realised until December 1995 that Mr Rowland had a safe deposit box under his roof. He had demanded to know why he had not been told, and a plot was immediately hatched to break into the box.

Mr Rowland, in his writ, alleged that the break-in was part of an ongoing attempt by Mr Fayed to level false accusations against Michael Howard, who as Trade Secretary had launched an inquiry into the House of Fraser takeover.

The latest burst of bad publicity for Mr Fayed comes after the controversy over his claims that there was a conspiracy to kill his son, Dodi, and Diana, Princess of Wales, and will cast a cloud over his campaign for British citizenship, which is being reviewed by the Home Secretary.

It also comes only a week after the early retirement of his spokesman, Michael Cole. Yesterday he enlisted the support of the public relations expert Sir Tim Bell, who sent his deputy Piers Pottinger to the Knightsbridge store.

Mr Pottinger insisted that the arrest was a technicality. "Mr Al Fayed volunteered to go to the police station. He was interviewed under arrest. He categorically denies the allegations," he said. Mr Fayed was back on the floor of Harrods by lunchtime and "it is business as usual".



The Prince of Wales during a visit yesterday to Staffordshire fire service in Stone

Diana leaves £13m to sons after paying £8.5m in tax

BY ALAN HAMILTON

DIANA, Princess of Wales, left nearly £13 million to her sons, Prince William and Prince Harry, her will published yesterday has disclosed.

The Princess, who died in August last year, also left requests that she should be buried and that the Prince of Wales should consult her mother, Frances Shand Kydd, on the upbringing, education and welfare of the young Princes. The will was drawn up in June 1993, six months after the Prince and Princess had separated.

Yesterday's publication, unusual for a royal will, shows that the Princess's gross estate was valued at £21.7 million, comprising stocks and shares, jewellery, dresses and other belongings and her £17 million divorce settlement. Payment of unspecified taxes reduced the total to £21.4 million. A further £8.5 million went in inheritance tax, leaving £12.9 million net.

Lawyers acting for the Princess considered a legal action to avoid payment of such large death duties, but abandoned the plan for fear of attracting unfavourable publicity.

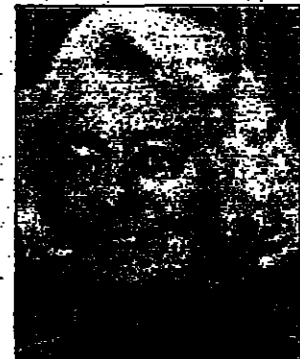
The other beneficiaries are Paul Burrell, the Princess's butler and her most trusted aide, who receives a legacy of £50,000, and her 17 godchildren, each of whom will receive a memento from the Princess's possessions.

The capital bequeathed to Prince William, 15, and Prince Harry, 13, will be held in trust for them. They will be paid an income from the trust before inheriting the capital when they are 30.

Both Princes have been left the same amount, despite the fact that Prince William will receive the revenues of the Duchy of Cornwall when his

father becomes King. When he and his brother reach 30, they will be able to vary the amount each takes from their mother's bequest if they wish.

But their final inheritance may be much more than the initial £6.5 million each. A court variation order made last December with the help of John Major, a guardian of the young Princes' financial affairs, ensures that a potentially large income from intellectual property rights — copyright fees for the use of



Shand Kydd: to be consulted on Princes

images of the Princess, for example — goes into a separate fund for the benefit either of the Princes or of charities such as the Princess of Wales Memorial Fund.

When, after the Princess's death, it was realised that large sums could accrue from marketing memorabilia, Mr Major and lawyers moved to safeguard that potential income. Variations to a will after the testator's death are quite normal, although they require the consent of the executors and the beneficiaries.

Amended will, page 4 Letters, page 21

Focus replaces Ford Escort

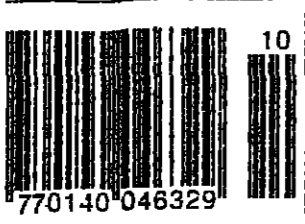
The Ford Escort, Britain's best-selling car, is to be replaced by a new model known as Focus. The new car will no longer be made in Britain, but will go on sale here in the autumn. The new name was announced by Jae Nasser, president of Ford, before the car's unveiling at the Geneva Motor Show.

Shares record

The FTSE 100 index of leading shares closed at a record high after rising 53.3 points to 5820.0. Prices were lifted by a BTR plan to return £2 billion to shareholders. Page 27

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Labour suffers two defeats in Lords over student cash

BY JAMES LANDALE, POLITICAL REPORTER

THE Government suffered two defeats in the House of Lords last night when peers backed a Tory move to halt the abolition of state maintenance grants for students and backed calls for equal treatment over tuition fees at Scottish universities.

The defeats came as peers debated the Teaching and Higher Education Bill, which would replace grants with a new loans system and allow universities to charge students £1,000 in tuition fees. Peers voted by 143 to 102 in favour of an amendment ensuring that at least half a student's maintenance comes from a grant, with the rest coming from a loan.

Then they backed by 134 to 99 a Conservative call for all UK students at Scottish universities — where courses last four years — to have their fourth-year tuition fees paid by the state.

The Government will be forced to use its Commons majority to overturn a key plank of its legislative pro-

gramme, but it will be embarrassed because it will be seen to be attacking the interests of Middle England. Many families have protested against the "double whammy" of tuition fees and the abolition of grants.

Conservative leaders said last night they were simply accepting Tony Blair's promise to abide by the Dearing Committee's recommendations on higher education, which made no mention of abolishing grants.

David Willetts, the Tory spokesman for higher education, said: "Only last Wednesday Mr Blair was claiming in Prime Ministers' Questions that his Government would abide by Dearing. Peers have simply reinstated what Dearing proposed. Many Labour MPs have committed themselves to keeping the grant. Now the onus is on them to stick to their word."

The Tories argued in the Lords that Government plans to replace maintenance grants with loans would deter people

from going to university and hit those from poorest families hardest.

But the Government argued that the abolition of grants would help to provide extra public money to be invested in universities and denied that it was deterring poorer students from applying for courses.

Barness Black, the Tory education spokesman in the Lords, said: "My amendment would mean a level playing field. It has to be the irony of all time that a Labour Government is penalising low income families on this issue."

Barness Blackstone, the Minister in charge of higher education, said grants did not encourage people to enter higher education, and added: "Even the current flawed loans system has not deterred people from applying."

The defeats will be seen by Labour as another reason why "hereditary peers" should lose their right to vote in the Lords, which was always regarded as the most likely venue for an ambush on the loans plans.

'Middle way' sought to control hunting

BY PHILIP WEBSTER, POLITICAL EDITOR

TONY BLAIR dampened prospects for an early ban on hunting yesterday as pressure began to grow for an independent inquiry into the issue.

In another move that gave heart to the hunting lobby in the wake of Sunday's Countryside March on London, Kate Hoey, a senior Labour MP, announced that she and others had formed a group to try to find a "middle way" that

would end some of hunting's most objectionable features while allowing it to continue in a restricted and licensed way.

With Michael Foster's Bill to outlaw hunting likely to collapse over the next few weeks, it has become clearer than ever that a ban could only go through as part of a Government Bill. But there are already strong indications that Jack Straw, the Home Secretary, is determined to ensure that his Criminal Justice Bill, due later this year, is framed tightly enough to avoid the anti-hunt campaigners using it as a vehicle to push through an amendment banning hunting.

Yesterday there was a hint from Downing Street that time might not be found in the present Parliament. The Prime Minister's spokesman said that the Government did not see it as "a high priority" in a future legislative programme. Although he added that he was neither ruling it out nor in, the lack of enthusiasm for the Government's



"D'you think if we all marched to Hyde Park he'd change his mind again"

Continued on page 2 col 6

Police want to destroy 'obscene' university book

BY JOHN O'LEARY, EDUCATION EDITOR

POLICE have confiscated a book celebrating the work of the late Robert Mapplethorpe, the controversial photographer, from the University of Central England's library and asked for permission to destroy it on grounds of obscenity.

West Midlands police raided the Birmingham City of a third-year undergraduate art student last October after she had taken photographs of

the book to be developed by a local chemist. The film was intended for use in a thesis entitled "Fine Art versus Pornography".

After referring the book to the Director of Public Prosecutions, the police told the university last week that it could be held to contravene the Obscene Publications Act, as likely to deprave or corrupt. A formal request was made to destroy the book and for the publishers to withdraw the remaining stock.

Dr Peter Knight, the university's

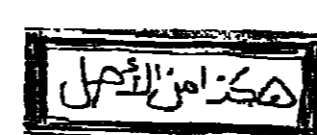
vice-chancellor, said last night: "I have never known anything like this in 30 years of academic life. Discussions with senior members of academic staff within our Institute of Art and Design clearly demonstrate that the publication is viewed as a serious, high quality work of considerable artistic merit. It has contributed significantly to the field of contemporary art and the university deplores the allegations that the publication is obscene."

The university is taking legal advice, but expects to fight the confiscation order, as do the publishers, Random House. Dr Knight said: "Of course we are aware that Mapplethorpe is controversial, but these photographs are not even erotic, merely unusual. We have paid £75 for a replacement copy to see what the fuss was about and it is certainly not a brown paper envelope job by any means."

Photographs included in the book survived an obscenity trial in Cincinnati, in 1983, a year before

Continued on page 2 col 7

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Natural worrier fears human rights horrors

Theresa May (C. Maidenhead) is not, so far as we know, a Berkshire torturer, village Stalin or rural Pol Pot. Youngish (she is 41), pleasant and professional, she is described in Roth's *New MPs of '97* as having "attractive auburn hair with natural grey splashes". How does Roth know? But whether or not her splashes are natural, Mrs May gives no impression of being unhinged.

So why did she leap in at Home Office Questions yesterday to lash out at plans to apply a Human Rights Bill to parish councils?

First she asked "if parish councils are amongst those organisations whose acts or omissions it is intended should be able to be

challenged under the Human Rights Bill".

Mike O'Brien, the dapper fellow assigned to answer this, is the sort of junior minister every mother would want her daughter to marry. Slim, suave, his suits quietly but expensively tailored, Mr O'Brien is a natural grey splash. The grey splash told Mrs May, courteously, that Yes, parish councils would not be above the law.

This upset her. The Government was looking again, she said, at the possibility of excluding churches, so why not parish councils too?

A short background note on the situation: the Human Rights Bill gives those who believe a public body has infringed their rights a means to take their case to a British

court. Churches are worried lest they be forced to bless same-sex weddings, employ atheists as teachers or interview one sex for a job requiring the other.

This one understands. But why parish councils? Do these bodies systematically violate human rights? What are parish councils in Mrs May's leafy swathe of Berkshire like?

Has Amnesty been informed? Are residents hauled before the councillors of Cookham for interrogation over suspected heretics de-

tested by the Vicar of Holy Trinity? Does the Secretary to the Burchett's Green Parish Council have you committed to the bell tower until, maddened by the sound of the bells, you withdraw your planning application for a pvc-frame porch extension?

Are the teenage sons of Holyport dragged away in the night and dragged into the Taplow militia? Are residents of council property in Sonning and Wargrave flogged for footpath infringements?

And is Theresa May in favour of

this? I think we should be told. Some of us who take the view that if (as Mrs May supposes) English parish councils really are infringing human rights, then the sooner parishioners are able to seek the protection of a Human Rights Act, the better. However, for some victims this may come too late: they will already have had their fingers drawn, their children taken away or their mean hovels razed to the ground by angry parish councillors.

She did not amplify or explain, so we may never know. Nicholas Gibb (C. Bognor Regis & Littlehampton) — a "lean and frantic look", according to Roth) came only to her aid by suggesting to the minister that as there seemed

to be "limited scope" for parish councils to crush human rights, why not exclude them from the Act's surveillance?

The briefest inspection of Mr Gibb's idea reveals its dangers. Within weeks, people like Peter Mandelson would be installing themselves on parish councils all over England to exploit the loophole. For there are no limits to the reach of this Government. They are everywhere. They forget nothing. When the British Liberal Democrat Deputy Leader Alan Beith asked mildly for progress in reforming the voting system, the Home Office Minister George Howarth snapped that the Liberals had been in favour of first-past-the-post — in 1923. Another U-turn.



MATTHEW PARRIS
POLITICAL SKETCH

NEWS IN BRIEF

Family of suicide man wins £25,000

The family of a mental nurse who hanged himself when he learnt that the hospital where he had worked for 20 years was to close has been awarded £25,000 agreed High Court damages. Richard Pocock, 50, a father of three, was found hanging in his garage at his home in Colchester by a member of his family in January 1995. Jeffrey Burke, QC, for the family, said North-East Essex Mental Health Trust and the Pockocks had decided to compromise in the claim.

Girls' bout off

A boxing match between 13-year-old girls, due to take place tonight in Stoke-on-Trent, has been called off amid adverse publicity. The contest, between Andrea Prince of Leicester and Emma Brauner of Stoke, has already been postponed once.

Connery charge

Allegations that the actor Sean Connery was denied a knighthood because of his support for the Scottish National Party are to be referred to Lord Neill, chairman of the Committee on Standards in Public Life by Alex Salmond, leader of the SNP.

Natural choice

Baroness Young of Old Scone is to be the next chairman of English Nature. The Labour peer, 49, currently chief executive of the Royal Society for the Protection of Birds, takes up the post on May 1, succeeding Lord Cranbrook.

Extradition case

A Dublin court ordered the extradition to Britain of a man wanted in connection with an IRA bombing campaign. Anthony Dunne, 28, is wanted on eight warrants alleging conspiracy to cause explosions between August 13, 1993 and August 13, 1994.

Odds off

The country's biggest independent bookmaker is paying out already on bets that Manchester United will win the Premiership, even though the team has ten games left. Fred Done, who has 115 betting shops, is paying out £50,000.

Railtrack is told to improve poor state of lines

By NICHOLAS WATT AND ARTHUR LEATHLEY

RAILTRACK has been warned by safety inspectors that it will face criminal prosecutions unless it takes drastic action to improve the "persistent poor condition" of railway tracks.

The Health and Safety Executive has told Railtrack that the company is putting the safety of passengers at risk after failing to act on earlier warnings about poorly maintained tracks.

Vic Coleman, the Deputy Chief Inspector of Railways at the HSE, issued his warning after a series of derailments. In a letter leaked to *The Scotsman*, he said that he remained "concerned about the condition of track on the Railtrack network". In two cases, track was "in such an extremely bad condition so as to be unsafe".

In his letter to Brian Mellitt, Railtrack's engineering director, Mr Coleman said: "It is difficult to escape the conclusion that Railtrack needs urgently to make yet greater efforts to ensure that deterioration and deficiencies in track condition are properly identified and effectively remedied."

"It is always of concern that spot checks and inspectors should find serious matters not already identified and not being dealt with," Mr Cole-

man said that he had also written to John Swift, QC, the Rail Regulator. He also made clear to Railtrack that it could no longer blame British Rail.

Railtrack, which took over British Rail's track network in 1994, is already being prosecuted by the HSE for its failure to repair track on a bridge in Bexley, southeast London, which was the scene of a train crash in February last year. A Railtrack report into the incident, in which a train plunged down an embankment, injuring several workmen, conceded that faults had been found on the track some months earlier but had not been put right.

Last month 40 passengers had to be rescued when a train was derailed at Harwich. The following day a goods train was derailed at Uffington, near Swindon. Debris hit the windows of the Bristol to Paddington express.

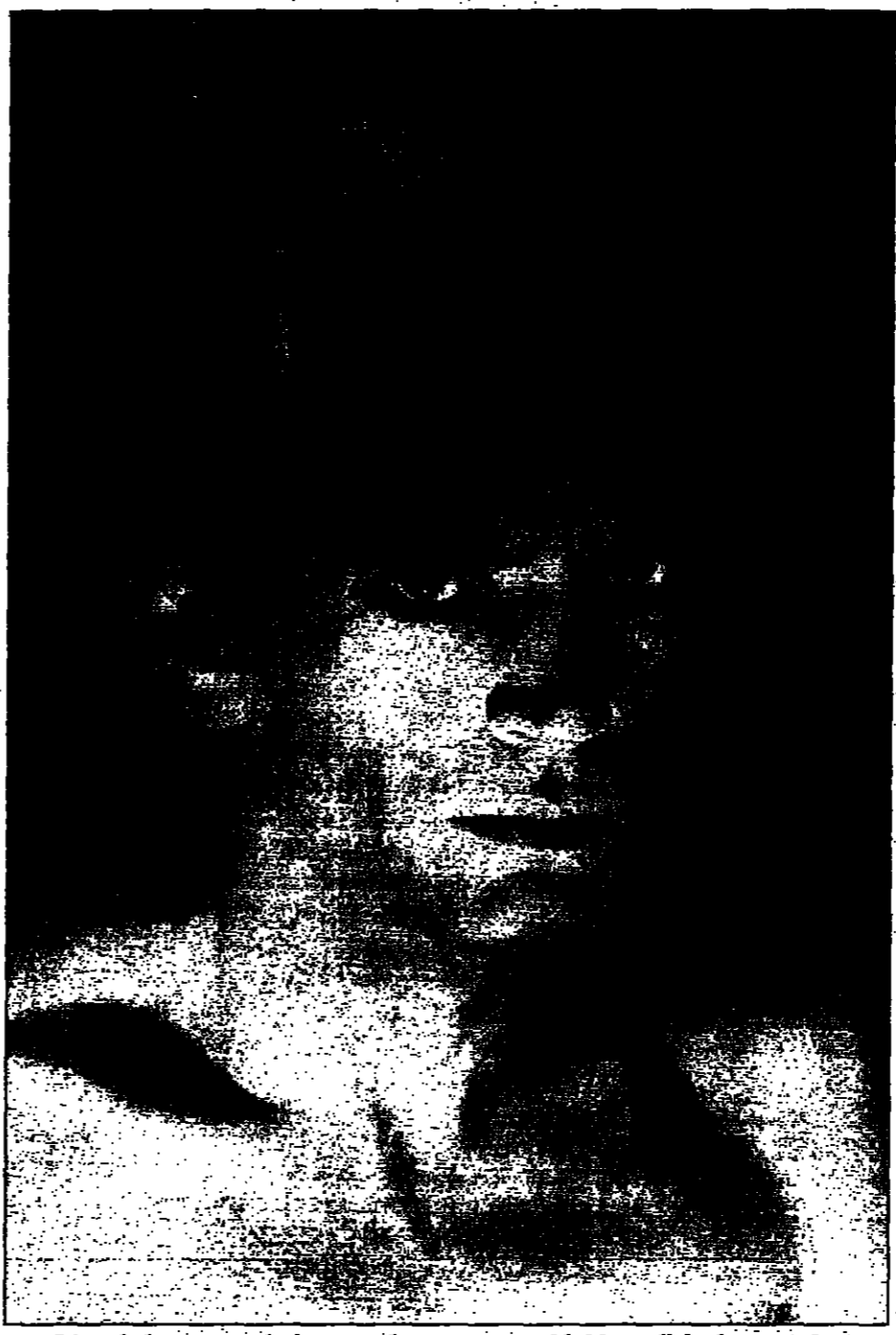
Railtrack was heavily criticised last year by Mr Swift over its failure to invest sufficiently in track improvements. Mr Swift said the company had accumulated a huge backlog of investment and ordered senior managers to put in place a timetable of improvements over the next decade. In response, Railtrack set out plans to spend £16 billion.

The leaked letter coincides

with a hardening in the attitude of the Executive in its dealings with Railtrack and the 25 train operators. The Executive has grown increasingly concerned over failures of rail managers to accept advice from safety inspectors.

Although rail safety in 1996-97 reached its best ever figures in terms of the number of fatalities, with only one person killed, concerns resurfaced last September when seven people were killed in the Southall rail crash in West London. A public inquiry is investigating suggestions that signals on the stretch of line might have been obscured while work was being carried out by Railtrack contractors.

Last night senior Railtrack managers said the letter marred positive discussions with the Executive. The company acknowledged the concerns voiced, but said that it was already taking significant steps to improve the track system, and was committed to spending £2.6 billion on track renewals and maintenance over the next decade. "Clearly the HSE wants to make it known that it is going to keep a close watch on events over the next year, but we are doing that in any case and frankly there are not big differences between us," said a Railtrack spokesman.



Mapplethorpe: regularly courted controversy with his explicit photographs

Book

Continued from page 1

Mapplethorpe died of Aids. Produced in collaboration with the Robert Mapplethorpe Foundation, it features an essay on the photographer's work by Arthur C. Danto.

Many of the photographs are nudes, some portraying scenes of bondage and homo-sexual activity. Photographs from the book have appeared in several public exhibitions in Britain and extracts have been printed in *The Independent on Sunday*.

Dr Knight said: "The police acted in a perfectly civilised manner but the student concerned was understandably distressed. The publication in question has been in the public domain since it was first published in England in 1992 and in the university's library for nearly five years. It is ridiculous to suggest that, after this considerable length of time, it may contravene section two of the Act."

Central England's library has another 26 Mapplethorpe books. The university said in a statement that students taking art and design had to have access to a wide range of visual images, both conventional and controversial. "Only by such exposure can informed art criticism and analysis take place. Any attempt to restrict the academic curriculum and the associated freedom of thought by seeking to destroy this book must and will be resisted."

In 1996 a retrospective of Mapplethorpe's work at London's Hayward Gallery caused such outrage that the gallery took the advice of police and lawyers and gave it an X-rating, in which those under 18 could only be admitted accompanied by an adult. Three photographs were excluded from the catalogue.

Ministers fight for control of rural affairs

Trade and industry press for power over farming as Prescott seeks to retain planning role

By VALERIE ELLIOTT
WHITEHALL EDITOR

CABINET ministers are still arguing privately about the creation of a new department for rural affairs.

While Dr Jack Cunningham, the Agriculture Minister, appears to have won the argument for a revamped Ministry of Agriculture, it emerged last night that the Department of Trade and Industry is pressing to take over responsibility for food and farming. Some ministers also believe the Treasury should take the lead in reforming the Common Agriculture Policy. John Prescott, the deputy Prime

Minister, is also anxious that he should retain control of rural development and planning matters so that he can keep a strategic view of the policy. One government source said last night: "It is a logical position really, where does the countryside begin and the suburban sprawl end? This would be a very difficult area to disentangle between the two departments. The political reality is that it will rest with environment."

Nonetheless, plans are moving ahead to build up the Ministry of Agriculture so that it can act as government watchdog for all policy issues relating to the countryside. Mr

Prescott is said to be "completely relaxed" by this shift and the hand-over of responsibility for key countryside quangos such as English Nature and the Countryside Commission.

A new department for rural affairs would take on responsibility for countryside matters such as hedgerows, public footpaths and wild species, but it would also have a crucial role in representing the interests of the countryside in Whitehall.

Just as the women's unit at the Department of Social Security monitors general policy for its impact on women, so the new rural affairs ministry would assess each policy for

its impact on the countryside and its communities. It is understood that a decision on the new ministry will be taken by Tony Blair as part of his first Cabinet reshuffle.

There may be an argument however for deciding the future of countryside matters before Easter. From April 1 Mr Prescott's super-ministry will be controlled by a single budget and it might prove simpler to carve up the responsibilities before the new accounting systems come into force.

Agriculture ministry officials have been reviewing the department's future after the decision to hive off the food safety unit to a new agency.

Hunting inquiry

Continued from page 1

coming embroiled in the issue was clear. The remark contrasted sharply with the attitude of Mr Blair after the Commons gave an overwhelming majority to the Foster Bill in November when he said that the Government would be keeping the situation under close review. This raised the hopes of campaigners that hunting would be banned by 2000 at the latest.

That is still possible, but it is clear that ministers do not relish the idea of another confrontation with the rural communities over hunting. Jack Cunningham, the Agri-

culture Minister, yesterday called for a "dialogue" over hunting. Ms Hoey said that although Labour MPs had voted in big numbers for the Foster Bill, several of them were moving towards a position where they would favour an inquiry into hunting so that the arguments would be independently tested.

One idea certain to be explored is the drawing up of a code of conduct and the licensing of hunts on condition they observe it. Practices such as digging out foxes, or temporarily filling in foxholes so that they cannot hide, would be banned.

CORRECTIONS

Although the National Trust has banned deer-hunting on its land on Exmoor and the Quantocks, it has not forbidden other forms of hunting on its land, nor does it intend to do so (article, Weekend, February 27). It was also incorrect to say that the League Against Cruel Sports has deer sanctuaries on NT land, and that its animals are in bad condition. In fact, the league's sanctuaries are managed in accordance with the highest standards of animal husbandry.

A misprint in a document led Simon Jenkins to write (February 28) that farmers receive £1,000 an acre in setaside payments; the correct figure is £136.

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Six-year sentence for doctor who killed wife in row over money

Millionaire consultant threw body out of window while depressed over prospect of divorce, writes Stephen Farrell

A MILLIONAIRE doctor who bludgeoned his wife with a club hammer then hurled her to her death from a bedroom window after rows over his meanness was jailed for six years yesterday.

Vincent Harris, 51, a consultant obstetrician and gynaecologist, hit his wife Jocelyn at least seven times on the head on the patio of their £750,000 home, then threw her from the window in a vain attempt to cover up his crime. Although neighbours heard the 39-year-old's dying screams, he spent the next three hours cleaning up the trail of blood through the house and reassuring everyone everything was all right before calling an ambulance, the Old Bailey was told.

Harris, who earned £150,000 a year as a consultant for the Guy's Hospital and Lewisham Hospital trusts in London and from private practice, denied murdering his wife at their home in Beckenham, southeast London, on June 5 last year but admitted manslaughter due to diminished responsibility. Only after his arrest did he learn she was having an affair.



Julia Morley: told court of Harris's anguish

in a large detached house with a swimming pool, had another house in London and had more than £800,000 in building societies, she was unhappy that he insisted on taking the family to McDonald's restaurants for birthdays.

In court Harris, with untidy hair and an open-necked collar, sat with his shoulders slumped as Nigel Sweeney, for the prosecution, told the judge the couple had met at University College Hospital, London, in 1979 when he was a senior registrar and she a nurse. They married in 1985.

The death, he said, was brought about by the fact that "she perceived the defendant as being mean with his money and he did not". One previous attempt to divorce him in 1994 was abandoned only after he "agreed to loosen the purse strings".

In March 1997 she began having the affair and on April 23, she told her solicitor to begin divorce proceedings and that she wanted him out of the house. The petition was filed on the day of her death.



Harris: court was told that he upset his wife by his parsimony with money

prospect of losing his family. Mrs Harris's family greeted the sentence with disgust, and said that Harris had already served nine months and could be free in less than 24 years.

Mrs Harris's tearful mother, Norma Belsey, from Kent, said last night: "Is that all that my daughter's life is worth?"

The former nurse's friends said afterwards she had been driven to distraction by her husband's parsimony, complaining that when she once asked for a new fridge he offered her the refrigerator from the pathology laboratory at Lewisham Hospital.

The issue had led her to walk out on him once before, within a year of their marriage, and although they lived

of coffee when Harris, a DIY enthusiast and officer in the Territorial Army, walked past with the hammer apparently intending to break up a concrete path in the back garden, and "snapped" when she apparently made a remark.

Although he claimed only to have hit her twice, a post mortem showed at least seven blows, many when she was lying on the ground.

Harris then wrapped her in a bin liner and sheet and dragged her bleeding body to the first floor bedroom, knowing she was still alive, where he threw her from the window, fracturing her spine and causing her death. In a panic, he buried the hammer in a compost heap and tried to

clean the blood from the house.

He finally called the ambulance at 12.14pm, initially telling police he had been in the garage when his wife fell from the bedroom before admitting his part, saying: "I could not live with the shame."

For the defence, Julian Bevan, QC, said Harris had "devoted a vast majority of his professional life to saving the lives of others, in particular the lives of women with cancer". He said Harris, the son of a barmaid, had been brought up in "humble" circumstances in Newport, Gwent, had attended grammar school and medical school and achieved eminence in his profession. But, Mr

Bevan said, because he was brought up by his grandmother and never knew the identity of his father, the prospect of being separated from his own children had caused him to "disintegrate mentally".

Harris, the court heard, told police his wife had "subjected him to the most unbelievable feeling of worthlessness that you can imagine over this insane, crazy divorce" and called him a "completely selfish creep". His career was now finished and his guilt and torment would never end.

The judge told Harris he accepted expert evidence that the attack was "out of character". The couple's children are being cared for by Harris's stepbrother in Wales.

'Housewife' who built up drugs empire gets 15 years

By Richard Duce and Adam Fresco

FROM her nondescript semi-detached house in suburban Kent, Evelyn Fleckney masterminded a multimillion-pound drugs distribution network.

She never handled the drugs herself but, through a "rod of iron" regime, was in such control of a growing empire that she styled herself "chairman of the board".

The empire fell yesterday as Fleckney, 41, from Tunbridge Wells, was jailed for 15 years at Southwark Crown Court. Undercover police taped her business dealings, which involved the distribution of cocaine, cannabis and Ecstasy throughout the South of England after it was brought in from Portugal.

Neighbours suspected nothing as Fleckney walked her six-year-old son to school before returning home to her drug deals. The mother of two relied on criminal contacts to build up her network, bringing together buyers and suppliers.

A spokesman for the South East Regional Crime Squad said after the case: "To all intents and purposes she was the respectable housewife staying at home and taking her son to school, chatting to other mothers along the way."

"She lived in a nondescript semi-detached and didn't have the trappings of wealth around her. She was certainly the first drugs baroness to be convicted in our area and is possibly the first in the coun-

try." Michael Wood, for the prosecution, told the court that Fleckney would never "get her hands dirty" by keeping drugs at home but instead had them hidden in the countryside.

Police heard her describing herself on one occasion as the "managing director and chairman of the board". On another, she boasted: "There are not many drug dealers like me. Go and find another bird that can get what I get. I could have a million pills if I wanted."

It took the jury five days to convict Fleckney of conspiracy to supply Ecstasy, cocaine and cannabis between October 1995 and October 1996. Her former boyfriend and "lieutenant", James Smith, 32, of Tunbridge Wells, who was convicted of similar offences, was jailed for 12 years.

Paula Bashford, 32, from Croydon, South London, was convicted of one count of conspiracy to supply Ecstasy and jailed for 4½ years.

Before the hearing, Karen Knight, 36, from Tunbridge Wells, Susan Jones, 34, from Croydon, and Steven Lowe, 28, of Mitcham, Surrey, were acquitted of drug charges.



Fleckney, pictured by a police surveillance camera, ran a drugs supply network from her home in Kent

Babysitter 'caught in acid attack intended for wife'

By Simon de Bruxelles

A BABYSITTER described yesterday how she was horrified to discover when she opened the front door of a house and had acid thrown in her face.

Beverley Hammett, then 19, was mistaken for the estranged wife of a businessman accused of ordering the attack, a court was told yesterday.

Miss Hammett, 21, was attacked in July 1996 as she stood silhouetted in the doorway by a man who has never been caught. One of the intended victims' three children described hearing Miss Hammett's face "hissing" as the acid burnt her skin.



Beverley Hammett, before and after the attack. The trainee nanny needs further plastic surgery

The prosecution claimed at Exeter Crown Court yesterday that Peter Humphrey set himself up with an alibi, but his plan to marry his 37-year-old wife Susan backfired when the babysitter answered the door instead.

The trainee nanny, who requires further plastic surgery, said: "I heard what sounded like the bolt of the side gate. I looked outside through the curtains but I just could not see anybody. I just thought it was Mrs Humphrey coming home because she was due back earlier."

"I went to the front door and listened for a short while and then I opened the door. I saw a

flash of light and a sound of breaking glass and then something burning in my face and I felt a burning sensation. I fell to the ground and I thought I was going to faint and then I went to the kitchen to cover my face in cold water."

On the night of the attack Mrs Humphrey had gone to visit her sister in hospital and left Miss Hammett looking after the children at her home in Seaton, Devon.

Gavin Chalmers, prosecuting, said: "It is the Crown's case that the defendant, reduced to all-consuming jealousy by the breakdown of his marriage, procured or helped another person who has not

been traced, to hair-concentrated nitric acid into the face of his estranged wife."

Four months before the attack Mrs Humphrey began divorce proceedings and also obtained a county court agreement banning her husband from going within 100 yards of her house. In May 1996, he went into the house - called Camelot - in breach of the undertaking and found her in bed with her new boyfriend, whom he attacked. Mrs Humphrey was seeking to have her husband jailed for contempt at the time of the acid attack.

Mr Chalmers said Mr Humphrey, 51, ran a chemical supply business and had ac-

An officer's bark had no bite

A SCOTTISH police officer working in London was refused the chance to work as a dog handler because the animals could not understand his accent, an industrial tribunal was told yesterday.

Allan McPherson, 32, saw work with the dog-handling section of the Metropolitan Police as a refuge from officers who teased him because of his broad Glaswegian accent.

PC McPherson told the tribunal in Central London that at the end of the week

Scots PC claims he was turned down as a dog handler because of his accent, writes Richard Duce

long suitability course he noticed that there were comments suggesting he needed better voice modulation. "I asked the instructor about it and he said, 'It's your Scottish accent.' I couldn't believe it. I knew that voice control was very important

in giving out dog commands, but I couldn't accept that there was a particular problem."

He returned to normal duties and asked about travel expenses and overtime before eventually learning that he had been turned down for the dog-handling course. He said that his superior officer, Sergeant Danny McQuoid, said: "Is that all you jocks think about, overtime?"

Mr McPherson, who has since left the force, claims that discrimination by the sergeant, who had insulted him before, affected his performance.

Mr McPherson, from Luton, alleges racial discrimination against the Metropolitan Police Commissioner, Sir Paul Condon.

The case continues.

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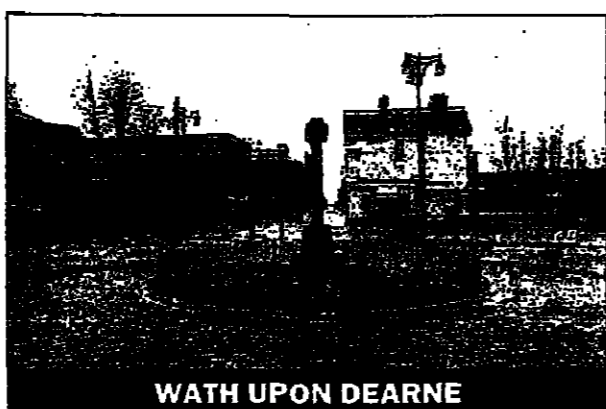
Woman who found love on the Internet forsakes Pacific island home for Wath upon Dearne, writes Paul Wilkinson

MANY people would envy Marji Robinson's seemingly idyllic life on a unspoilt Pacific island. But she is swapping her birthplace for a former pit village in South Yorkshire because she has fallen in love with a credit controller she met through the Internet.

Today, when she looks out of her window, she can watch the blue waters of the Pacific break on the white sand of Kauai, reputedly the most beautiful of the Hawaiian islands. But in a few months, after their marriage on the beach, her view will be the terraced houses across the road from the home of her husband, John Beachill, in Wath upon Dearne, Rotherham.

"John has told me what to expect but to be honest it does not really matter," said Ms Robinson, 40, a qualified nurse, yesterday. "We're very much in love and we just want to be together and where does not matter too much. John's work is obviously in Britain, but he has said that, if I don't settle in Wath, he is prepared to move back with me and his children to Hawaii."

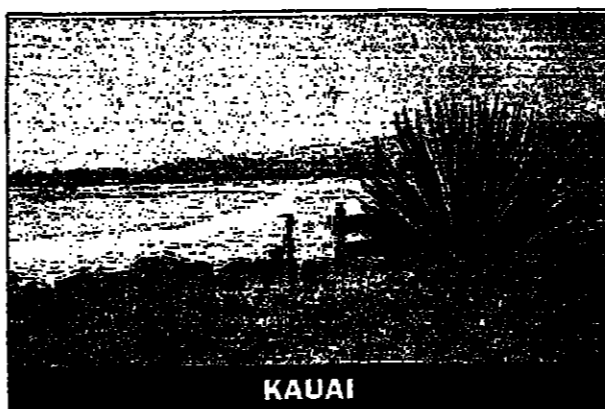
Kauai, known as the Garden Isle, is famous for its scenery. It is the fourth largest



WATH UPON DEARNE

THE town dates from Viking times and was mentioned in the Domesday Book, an 11th-century record, as an 18th-century poet, christened the place "The Queen of All Villages" after falling in love with the daughter of a local landowner; she married

somebody else. Watholians previously worked in coal, on the railways and the canal; unemployment is now about 8.5 per cent. William Hague, the Tory leader, was a pupil at Wath Grammar School. Summer temperatures hit an average 19C; in winter it is 5C.



KAUAI

THE 5,000ft Mt Waialeale is an extinct volcano and the island's highest point. It has more wet days than any other place on Earth, but the island has an average 2,625 hours' sunshine a year. Its reinforced and white coral sand beaches are a favourite for

Hollywood scripts requiring "paradise" locations. Its main industry is tourism, with 750,000 visitors each year. Sugar, exotic fruit and a US military base provide other jobs. The temperature hardly varies all year round, at between 26C and 29C.

of the Hawaiian group, and the first to be seen by Captain Cook in 1778. It was the location for the films *King Kong*, *South Pacific*, *Blue Hawaii* and *Jurassic Park*. The couple "met" while surfing the Net for penfriends

last September. They corresponded by e-mail, then by telephone as their relationship grew. Mr Beachill, 41, who is divorced and has two daughters aged ten and 13, has been out of England only once, on a weekend trip to France. But

last month he flew 10,000 miles to Kauai to propose. He said: "I had only ever seen her picture but I had an idea she would say 'yes'. I couldn't do it over the Internet. "With the distance involved, I never really thought about

getting married again. I just wanted a pepal at first. After a month of corresponding, it was obvious there was a lot more than wanting to send letters to each other for the rest of our lives." Wath's only cinematic claim

to fame is that it is five miles from Grimethorpe, where the recent hit *Brassed Off* on the demise of the coal industry was filmed. It lies in the triangle of industrial South Yorkshire bounded by Rotherham, Doncaster and Barnsley.

Mr Beachill said: "I am not quite sure what she will make of Wath. Marji has visited Britain, but only places like London and Edinburgh. Her home is in the foothills of a volcanic mountain range. When you walk out of the house you are greeted by palm trees and beautiful flowers."

Ms Robinson has yet to see Wath. But Mr Beachill did send her and her daughter, Cassandra, seven, a postcard of Castleton, a picturesque Peak District village, to show her that there is beauty in the North. Now he has arranged for her to spend Easter in South Yorkshire to help her become acclimatised.

Last night the Rotherham Industrial Development Office offered Ms Robinson a guided tour. Clark Herron, its spokesman, said: "I was worried about the way people who don't know Rotherham still label it with the old stereotypes of wasteland and slagheaps."



John Beachill and Marji Robinson in Hawaii

Full Monty star reveals his role in the allotment

BY JOANNA BALE

THE hugely successful film *The Full Monty* has not made everyone associated with it rich. One of its stars is growing his own vegetables to save money.

Steve Huison played Lomper, whose suicide attempt is foiled in the opening scene. Now he is busy planting potatoes in his Yorkshire allotment, having received just £13,500 for his part in the comedy, which has taken nearly £50 million at the box office.

The actor, who hopes to attend the Oscars ceremony in Hollywood later this month, said yesterday that filmgoers wrongly assumed that he and his co-stars had made their fortunes. At a ceremony introducing the home video version of the film yesterday, he said his latest project was "the allotment". He added: "That's not a film. It's a piece of land."

"It's that time of the year. You've got to break up the soil and get your potatoes in. It's not about gardening, it's about growing your own veg and saving money. I'd be a fool if I didn't."

"Let me get it right. We haven't got a fortune out of it."



Huison: earned £13,500 for his role in film

We got the basic Equity weekly rate and that's all. £1,500 a week it works out at for nine weeks. Even my girlfriend's daughter gets lapped up for money at school now, which isn't very pleasant."

However, Huison, of Shipley, West Yorkshire, said that the film had opened doors and given him a better choice of parts. "I've had a good time over the past six months. I've gone on a lot of free trips and I've met a lot of interesting people, and it's nice to be involved in something that's done so well."

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Novel approach pays off for debutant writers

An MA course at Manchester is teaching the art of producing a saleable book. Russell Jenkins reports

FIVE students from the English department of Manchester University are on their way to becoming professional writers. They have all had a first novel or book of short stories accepted for publication.

Four are graduates of a two-year MA course in novel-writing, which aims to put fat books in shop windows rather than catch the eye of literary journals.

The university, which set up the course four years ago, aims to wrest the crown from the creative writing courses of East Anglia University as the place to get on the fast track into print. Publishers and literary agents are heading for Oxford Road, Manchester,

trawling for talent, and many of the current crop of 12 students already have agents.

Anna Davis, one of three to graduate from the inaugural course, has a two-book deal with the publishing house Sceptre. Her first novel, *The Dinner*, written for her MA course, is about a dinner party going disastrously wrong and will be published in January next year. The German translation rights have already been sold.

Emma Lee-Potter, 39, a journalist and daughter of Linda Lee-Potter, the *Daily Mail* columnist, has a two-book deal with Piatkus.

Her first book, *Hard Copy*, will appear in July.

She spent ten years working in Fleet Street and has drawn on her experience to write about life on the fictional tabloid *Daily News*. Her central character is an ambitious young photographer, estranged from her mother and with a disastrous love life.

Ms Lee-Potter, who lives in North Yorkshire with her husband and two children, said the course provided a disciplinary framework to those who want to write a novel but could quite get around it. "I can't do anything

unless I have a deadline," she said. "*Hard Copy* is a fun look at newspapers, not a knocking book, but a look at what it is really like as a reporter on the road. It is not a literary work, but a book marketed for a mass audience. There is nothing precious about this course."

"In the purely practical terms of producing a book to go on sale, it has knocked the University of East Anglia off its rarified literary perch. I have never been interested in writing poetry. This course is specifically for novel-writing."

The third student on the initial

course is Vivienne Savory, who has already enjoyed success with her novels *The Seventh Daughter* and *Over The Purple Moor*, published by Fourth Estate. She said: "I felt I was on the way to becoming a writer but that I needed to make that final link to complete the jigsaw."

One MA student, Joseph Pemberton, received an offer from a publisher before he had even submitted the final version of his book, *For Ever And Ever Amen*, for his degree.

Students are asked to write chapters of their books in 5,000

word chunks and then submit them for criticism by the rest of the class. The second year is devoted to completing the book.

The course is run by Richard Francis, a novelist whose latest book, *Fat Hen*, is shortly to be published, and Michael Schmidt, a publisher and director of the Poetry Centre. Dr Francis said that the MA course was the only one designed solely to produce novels.

The courses run by other universities encompassed most literary genres, but that "was just so in Manchester. We took the bull by

the horns," Dr Francis said. "It is possible to teach novel-writing. You cannot tell people how to write a novel, but you can teach reactively to something in front of your eyes. You are trying to work out what they want to do and how far they are successful and try to bridge the gap."

Claire Wigfall, a 20-year-old undergraduate reading English and American studies, has also been offered a publishing deal by Faber & Faber after an editor heard one of her short stories.

Professor Tony Crowley, head of the department, said: "To have so many students with novels either in print or with deals offered to them is a real success for us."

Top teachers are offered £40,000 to stay in class

By JOHN O'LEARY, EDUCATION EDITOR

THE best teachers will be offered up to £40,000 to stay in the classroom rather than embark on a management career, under plans announced yesterday to raise standards in state schools.

The first Advanced Skills Teachers will be appointed in September in the proposed new Education Action Zones and in specialist schools. The so-called "superteachers" will be expected to spend one day a week passing on their expertise to other schools.

But the scheme, delayed after the teachers' pay review body demanded more time to consider the implications, drew immediate opposition from head teachers and classroom unions. They claimed that the new pay scale would be divisive and few schools would be able to afford it.

At the top of the proposed

scale, the teachers would be paid more than all but 1.1 per cent of primary head teachers and 6.7 per cent of secondary deputy heads. David Blunkett, the Education and Employment Secretary, said that a "minority of excellent teachers" should qualify, but the unions want thousands of their members to benefit.

The School Teachers' Review Body, recommending salaries of between £25,000 and £40,000, described the Government's proposals for a new grade as "radical and innovative". Inspectors would gauge whether candidates were sufficiently skilled and there would then be a further selection hurdle.

Labour included the proposal in its general election manifesto as a means of stemming the flow of talented teachers into management positions.

However, the first appointments are likely to be limited to specialist schools and the first five Education Action Zones, which will be named in the next few weeks.

Mr Blunkett's advice to the review body suggested that the initiative would spread nationally in September 1999. Schools could either appoint ASTs from their own budgets or seek a central grant and share the appointee's skills with neighbouring schools.

Under proposals issued for consultation, the limits on the working hours of classroom teachers would not apply to the new grade, reflecting their additional responsibilities to act as "mentors" and spread good practice. Annual pay reviews would determine whether ASTs moved further up the pay scale.

Mr Blunkett said yesterday: "This new grade will reward the very best classroom teachers, encouraging them to stay in the classroom rather than taking up management posts."

David Hart, general secretary of the National Association of Head Teachers, said it would be difficult for governors to make appointments without causing friction over differentials with head teachers and deputies. Doug McAuley, general secretary of the National Union of Teachers, predicted that problems would be created by cutting across the management structure, and the structure of extra pay for additional responsibilities.

Peter Smith, general secretary of the Association of Teachers and Lecturers, said that up to half of the teaching force deserved recognition.

LESSONS ON PAEDOPHILES

Children as young as 11 are to be given lessons in how to spot a paedophile. The centrepiece of a programme launched yesterday is a video featuring television actresses Pauline Quirke and Linda Robson, of the BBC's *Birds of a Feather*. It shows a paedophile winning the trust of a young boy and girl and their parents before trying to abuse the children. Secondary schools will devote up to six sex-education lessons on the project with their youngest pupils.

The 20-minute film was

produced by the Essex Child Protection Committee. It is introduced by Jill Dando, the presenter of *Crimewatch*, and has already won an award from *Community Care* magazine. The initiative reflects increasing concern about the effectiveness of recent measures to protect children from sexual abuse.

Pupils aged 11 to 13 will be told to be wary of adults suggesting that they should keep gifts or meetings secret. The programme emphasises the "normal" appearance of many paedophiles.



MELISSA BELL, the daughter of the independent MP for Tatton, Martin Bell, and Major Peter Bracken, announced their wedding date yesterday but the bride may have trouble getting to the church on time. The couple — who met while Miss Bell was helping her father's election campaign — have yet to decide on a venue after her father ruled out his local parish

A wedding Bell running out of time

church in Great Budworth, Cheshire. Mr Bell has boycotted St Mary and All Saints since the Rev Derek Mills "sided" with the Conservative former MP Neil Hamilton. Mr Bell, who was christened at the church on his third visit, he was handed a copy of the parish magazine carrying a letter from the vicar which revealed that he was a "Hamiltonian". Miss Bell has already chosen her dress and is planning a lavish champagne reception for the wedding on May 3.

Human rights author may pull out over Patten book

By RAYMOND SNOODY, MEDIA EDITOR

JONATHAN POWER, the distinguished foreign affairs writer whose column is syndicated to more than a hundred newspapers around the world, is on the verge of removing his new book from HarperCollins in the wake of the dispute over the book on China by Chris Patten, the last Governor of Hong Kong.

Mr Power, who for many years worked for the *International Herald Tribune*, is in the final stages of agreeing a contract with HarperCollins on an independent history of Amnesty International, the human rights organisation. The book, which is being written to coincide with the 40th anniversary of Amnesty in 2001, will have a chapter on human rights in China.

Mr Power said yesterday that he intended to seek another publisher for the book "unless something extraordinary happens such as Rupert Murdoch apologising and deciding to publish Chris Patten's book."

Last week The News Corporation, whose media interests include both HarperCollins and *The Times*, said that Rupert Murdoch, its chairman and chief executive, did not intend to publish the book *Box and West* and disagreed with many of Mr Patten's positions on Hong Kong. HarperCollins gave the right to publish the book by Macmillan, Stuart Proffitt, the HarperCollins editor involved, has left the company and is suing for constructive dismissal.

Mr Power has alerted his

HarperCollins editor, Richard Johnson, to the potential problem of the China chapter, said Mr Johnson yesterday approached Eddie Bell, the HarperCollins executive chairman, to draw his attention to the Amnesty International book.

Mr Bell, who has not returned telephone calls from *The Times*, has called for the synopsis of the book. A contract was due to be signed in the next three weeks.

The loss of a book on the history of Amnesty International would hardly be a huge financial loss to HarperCollins, but it would constitute a further blow to the company's prestige.

Although a number of HarperCollins authors have expressed disquiet about the decision over the Patten book, the only one actually known to have defected so far is Simon Haffer, the political writer and journalist, who returned his advance for his biography of the late Enoch Powell.

Mr Bell yesterday addressed the HarperCollins staff in an attempt to allay their anxieties. Many analysts believe that ultimately Mr Bell's position may be severely weakened if the chairman of a company that bought the rights to what could have been expected to be a controversial book on China, a region of the world where Mr Murdoch has shown sensitivities in the past, Mr Murdoch has been making great efforts to open up the Chinese market to television from the West.

Libby Purves, page 20

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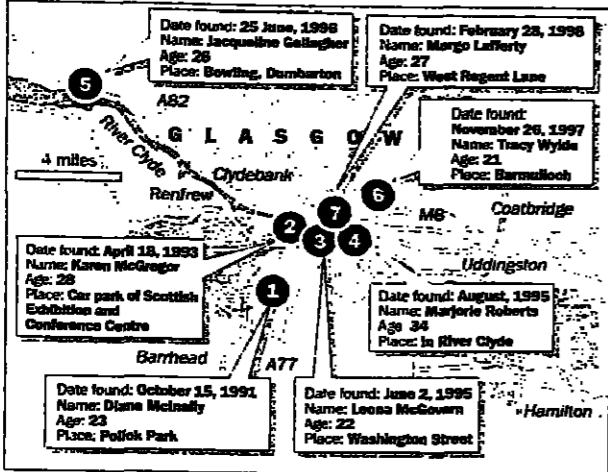
هكزان المصنوع



Marjorie Roberts: body in river Tracy Wylde: found in flat Diane McNally: two charged Karen McGregor: found naked Leona McGovern: stabbed Jacqueline Gallacher: in lay-by Margo Lafferty: latest victim

Prostitute murders spark fears of serial killer

Police are denying a link between killings as women flee Glasgow's red-light district, writes Gillian Harris



WITH her dark hair scraped back and a canvas rucksack on her back, Becky looks like a student as she catches her bus. In fact, she is a prostitute who travels to Edinburgh's red-light district in Leith rather than work on the streets of Glasgow where, she believes, there is a serial killer at large.

The discovery of Margo Lafferty's snow-covered body in a cobbled alley close to Glasgow city centre at the weekend has increased the fear that there is a killer preying on prostitutes. Miss Lafferty, 27, was the seventh prostitute to be killed in the city since October 1991. Police insist

that there is no evidence to link the murders.

Miss Lafferty's body was discovered in an office doorway in West Regent Lane, less than a mile from her home, on Saturday evening. She was last seen in the red-light area at about 2am on Saturday.

Forensic tests were yesterday carried out on the area. The officer in charge of the murder inquiry, Detective Chief Superintendent John Campbell, urged anyone who knew anything about Miss Lafferty's death to come forward. "I am quite sure whoever carried out this attack must have been covered in mud, and wet.

It is very likely he would be bloodstained," he said.

Miss Lafferty's death comes only three months after Tracy Wylde, 21, was found murdered at her home. Nearly all Glasgow's estimated 850 prostitutes now tell friends where they are going and note the car registration numbers of the men who pick them up. Others, like Becky, work 50 miles away in Edinburgh.

"I used to work around the same area as Margo, but I wouldn't go near the place now," she said. "Since November I have been going to Edinburgh. It feels safer. I know a lot of girls are doing the same. There is a

madman out there and I'm not going back to Glasgow until he's caught."

Strathclyde Police play down suggestions of a serial killer. There are similarities in three murders where the women were found naked or partially clothed and brutally beaten. Six of them also looked similar with sharp features and dark hair.

Diane McNally, 23, was found in Glasgow's Pollok Park on October 15, 1991. Two men were charged with her murder, but the case did not reach the court.

Eighteen months later the naked body of Karen McGregor, 26, was discovered in a car park at the

Scottish Exhibition and Conference Centre. Her husband, Charles, was charged but the case was not proven. Leona McGovern, 22, was found stabbed 17 times and strangled on June 2, 1995. A man was charged and acquitted.

The body of Marjorie Roberts, 34, was found two months later in the River Clyde and in June 1996 Jacqueline Gallacher, 26, was found dead in a lay-by in Bowling, Dumfriesshire, wrapped in a curtain.

"Every time a girl is killed the rest of us pray that this time the police will get him," said Becky. "Until they do none of us is safe."



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Watchdog to cut off town hall's phone monopoly

BY MARK HENDERSON

BRITAIN'S only council-owned telephone exchange looks likely to lose its near-monopoly under a licence review announced yesterday by Ofcom, the telecommunications watchdog.

If public consultations indicate approval, competitors such as BT will be allowed to operate in Hull, bringing to an end an 87-year anomaly.

BT is currently forbidden from connecting customers in Hull, where Kingston Communications, the company owned by the city council, has operated the system since 1902. The exchange was allowed to remain independent when private sector switchboards were nationalised in 1911, and again when British Telecom was privatised in 1984.

Kingston Communications today operates 185,000 lines in the city, serving a population of just under half a million. Mercury and cable operators have been permitted to move in for seven years, but have chosen not to do so.

Don Cruickshank, Director-General of Ofcom, said a lack of competition in Hull was holding back the standard of services. "I have to ensure that everyone in the UK has a choice of new services and that these services offer good value for money," he said.

"Hull has not been making the same progress as everywhere else in the country. The Hull telephone market is not and should not be isolated from the new world of communications."

"The people and businesses of Hull need to be given the same opportunities and the same choice in telecoms services as they are in the rest of the UK."

Many popular BT services, such as FeatureNet, a switchboard network for businesses, are not available in Hull because of the exchange system operated by Kingston Communications. The company said it was not

NUMBER CRUNCH

From the moment BT announced that the telephone box on the slopes of Mount Snowdon was the last used in Britain, people from all over the country started to call. And in their surprise, they got an answer. Jane Hughes, 53, a housewife who lives 50 yards away in the hamlet of 12 people, heard her first call shortly after dawn yesterday. "I was used to 90 minutes every time I needed to use the phone," she said. "I just smile broadly with some of them." Mrs Hughes, who is married to a ferry driver, "I have spent more time on the phone in the last couple of hours than I have in the past six months."

New BT is checking its records to try to find the new holder of the last used callbox title.

worried about increased competition, but felt that Ofcom had made unfair criticisms of its services. "Mr Cruickshank is saying customers in Hull get a raw deal, which is just not true," Colin Ashcroft, a company spokesman, said.

"Ofcom say themselves that we are cheaper than BT, and we consistently top their tables for customer service. They say the technology is backward, but we are currently piloting video on demand."

He added that the review would be unfair if it allowed BT to expand into Kingston's licence area without giving it the right to operate in new areas as well.

A spokesman for BT said that the company welcomed the review of licensing arrangements in Hull and that it would monitor its progress carefully. "We will be keen to look at any new opportunities that arise."

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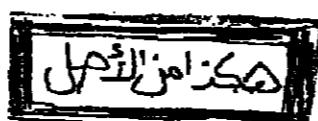
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ENO musicians count the notes in pay row

MUSICIANS at the English National Opera could be paid in 15-minute units if proposals to cut costs go ahead.

While violinists would probably prosper, percussionists and brass players, who are needed less, fear their pay would suffer. They could find themselves counting up the notes in their parts and hoping for a season of Wagner rather than Mozart.

Although the management is said to favour paying by the hour, it is insisting that a single quarter-hour unit is inserted into contracts. "Why would they want that in our contracts unless they plan to use it?" one player said. "It is assumed that the 15-minute payments will apply only to rehearsals. Surely they can't have people walking in and out of the pit during performances," he added.

Negotiations have broken down, the orchestral committee refusing to discuss plans which it believes will hurt musicians. The committee said: "We are running out of ways to improve the situation. The possibility of an industrial

Orchestra gives warning that it may take strike action over management plans to pay its members by the quarter hour, writes Darya Alberge

action is on the agenda." One player, declining to be named because talking to the press is a sackable offence, said that it was bad enough when they were told that there would be no salary increase for this current season.

They earn an average of £25,000, compared to the £50,000 paid to rank-and-file musicians in the United States. Under the new proposals, the ENO musicians believe, they will be taking home far less.

They have passed a vote of no confidence in Mimi Watts, the director of human resources who is negotiating the contracts. They object to contract changes that include extending the hours they are expected to be available, including more Saturday morn-

ing work. One musician said: "On Saturday mornings, many of us have supplement of our incomes with teaching and we will not be able to do that any longer."

Another source said: "Performers of this calibre should not be put under this sort of pressure. Performing is a high pressure job anyway. Musicians turn to drink and betablockers just to cope with the performing pressures. Then there is the constant threat of redundancy. And now this. It doesn't make for a good creative base."

The proposals have implications for orchestras throughout Britain. Although the BBC has introduced an hourly contract for its orchestras, it managed to placate its musicians by offering special ad-

vantages such as extra paid holidays.

While declining to comment on any specific details, Horace Trulridge, the London official for the Musicians' Union, said of ENO: "They want a Rolls-Royce, but they only want to pay for a Mini."

The choristers are also unhappy about long hours and hourly payments: they have already accepted a radical change to their contract, feeling they could not afford to take industrial action. "They were very reluctant," the source said. "But what's the option? They get the spiel from the management about the chorus being integral to the company. But they've whittled them down over the years from 80 to 60-plus. They wouldn't replace people who left. That doesn't imply its important. There's a feeling that the chorus is a large wage bill, singing scenery."

A spokeswoman for ENO said: "We are not going to comment on something that is in negotiation. It isn't helpful to carry out negotiations in public."



The BBC made concessions while introducing hourly contracts for its orchestras

Gay women may have different hearing

By Nigel Hawkes
SCIENCE EDITOR

A PHYSIOLOGICAL difference between heterosexual and lesbian women has been detected for the first time.

Researchers at the University of Texas claim that a characteristic of the inner ear, which differs between men and women, shows similar differences between homosexual and heterosexual women.

The results indicate that sexual preference may be in-built. The causes probably lie during early development in the womb, especially hormone levels. The study, in *Proceedings of the National Academy of Sciences*, used a test of a hearing response that is known to differ between men and women. When the ear hears a sound such as the tap of a pencil, it produces an echo (an otoacoustic emission). Dennis McFadden, of the university, said: "The emissions of 61 homosexual and bisexual women were weaker than those of 57 heterosexual women — or in the male direction."

Dyslexia study blames errors on brain failure

By Nigel Hawkes

THE brains of dyslexics have large areas that appear to function less well than those in people who have no difficulty reading.

A study using brain-imaging has shown that the areas involved are the same as those in people who have lost the ability to read after a tumour or stroke. The finding suggests that dyslexia is caused by deficient brain functioning, and is a real phenomenon, something that has been doubted.

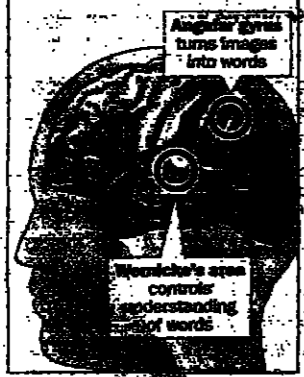
The region involved links the part of the brain responsible for turning images into words, the angular gyrus, with the region which controls

sense and understanding, Wernicke's area.

In a study carried out at Yale University School of Medicine and published in *Proceedings of the National Academy of Sciences*, 29 dyslexic readers aged between 16 and 54 were compared with 32 normal readers, aged between 18 and 63. All performed a range of reading tasks while their brain activity was followed by functional magnetic resonance imaging, which detects activity by measuring blood flow.

Most of the tests were designed to test the volunteers' ability to manipulate the sounds of letters into words — phonological skills. Among the tests, the volunteers were asked to read nonsense rhyming words, such as "fide" and "leaf", which dyslexics find difficult.

The dyslexics showed reduced activity in the region linking the angular gyrus to Wernicke's area. They also showed increased activity in Broca's area, which is linked to speech. Sally Shaywitz, one of the team involved, said that this probably represented an attempt to compensate for impairments.



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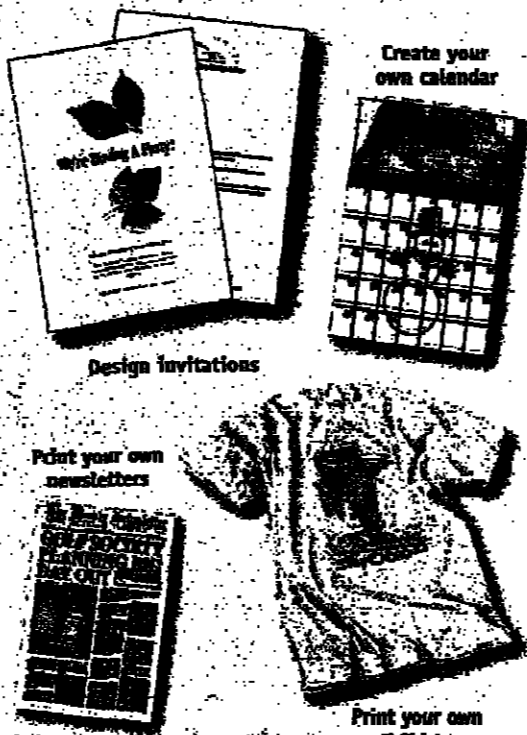
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Labour accused of hypocrisy over prescription rise

Jill Sherman and Ian Murray on claims that ministers are imposing what they once called a 'tax on the sick'

THE Government was accused yesterday of "breath-taking hypocrisy" after it announced a 15p rise in prescription charges from next month.

Ministers came under fierce attack from patient groups, Labour MPs and the Opposition after disclosing the rise from £5.05 to £5.80p per item, an increase of 2.7 per cent, but the Government defended the increase, which will raise £330 million for the National Health Service, claiming that it was one of the lowest rises in 19 years.

Alan Milburn, the Health Minister, also said it was the first time since 1981 that the rise was below the rate of inflation - now 2.8 per cent - and represented a cut in real terms of 0.1 per cent. Although Labour persistently criticised prescription charge rises while in opposition, the party's election manifesto made no commitment to freezing or cutting charges.

But Tony Blair's official spokesman confirmed that all health charges are being looked at as part of the comprehensive spending review. At present prescription charges apply only to 20 per cent of people and one option being studied is to charge well-off pensioners. To offset this, the Government is considering restoring free eye tests and free dental checks for the

elderly, at a total cost of about £60 million.

Yesterday's prescription-charge rises were widely criticised. Bob Abberley, a spokesman for Unison, the public services union, described the increase as "unpalatable" and said that it would cause distress to many patients.

Simon Hughes, the Liberal Democrat health spokesman, accused ministers of applying a double standard. "For the last 18 years, Labour criticised each rise in prescription charges as a tax on the sick. Now, as the Government, they are doing exactly the same."

John Maples, Shadow Health Secretary, said: "Acts of breathtaking hypocrisy are becoming an everyday occurrence for this new Labour Government."

Mr Milburn countered: "This is one of the lowest prescription-charge increases for 19 years and the first time since 1981 that the charge has fallen against the rate of inflation. The increase allows us to protect the contribution that the charges make to the NHS income, which is important in maintaining services for patients."

But doctors, chemists and patient groups all warned ministers that the increase in prescription charges would deter many people from obtaining the medicines they

needed. Peter Curphey, president of the Royal Pharmaceutical Society, said: "The rise may well be 'small', but for some people it will be the final straw which will prevent them from obtaining the NHS treatment they need."

"It is now routine for patients with prescriptions for several items to ask the pharmacist not to dispense all their medicines because they cannot pay for them all. Other patients may well be deterred from consulting their GP in the first place because they know they will not be able to afford their treatment."

George Rae, chairman of the British Medical Association's prescribing sub-committee, said that many of the 20 per cent of patients who had to pay for prescriptions already felt unable to afford them. "Instead of putting up charges, the Government should carry out a radical overhaul of the charging system to remove the anomalies which make it inequitable," he said.

Claire Raynor, president of the Patients' Association, said the amount of money the 15p would raise was not worth all the trouble that it would cause. "This is just the same as charging people to go and see their doctor and that is not what the NHS is all about. Paying for medical care erodes the NHS."



Side by side: Ann Widdecombe and Michael Howard last worked together at the election.

Tory enemies manage a show of mutual praise

By ANDREW PIERCE

MICHAEL HOWARD and Ann Widdecombe declared a truce yesterday after reports that they are about to become Shadow Cabinet colleagues. But their apparent reconciliation, made public in radio interviews, is a long way from the truth.

Mr Howard still blames Miss Widdecombe for destroying his faint hopes of securing the Tory leadership last summer with her trenchant criticism of his sacking of Derek Lewis as director of the Prison Service. The redoubtable Miss Widdecombe, who described Mr Howard as possessing "something of the night", has not reversed her view that, as Home Secretary, he misled the Commons over the affair.

For months they have not exchanged a civil word but on Sunday they spoke on the telephone after press reports

that Miss Widdecombe was heading for a place in the Shadow Cabinet. They both agreed to go on the BBC Radio 4 Today programme yesterday, but at different times. Neither wanted to be on air with the other.

Mr Howard praised Miss Widdecombe for her effectiveness in opposition, describing her as an "awkward customer" for the Government to handle.

For her part Miss Widdecombe, Prisons Minister during Mr Howard's time at the Home Office, said: "I paid tribute... to his qualities as Home Secretary. Now he has made some very kind remarks about me. Time moves on... we have a task in common. It's a tremendous task and both Michael and I want to be a part of it."

In praising Miss Widdecombe, Mr Howard was bowing to the inevitable. Her promotion is assured and

anything other than a gracious response on his part would have backfired. But many MPs who listened to the interviews nearly cut themselves shaving. One said: "I was flabbergasted. They ignore each other or he glares at her. I have never observed any warmth."

That view was shared by friends of both. One Tory source said: "They hate each other. There's been talk of burying the hatchet but I'm not sure where Michael and Ann would bury it if they had the chance."

As for the prospect of sitting next to Mr Howard at the Shadow Cabinet table, Miss Widdecombe maintained her diplomatic posture. "Relations between us are never likely to be very warm. But I am glad that you do not need to be lovey dovey to have a good working relationship in politics. I am not sure we will ever be that."

Saddam must be delighted at divided foe

RIDDELL ON POLITICS

MILITARY action against Iraq has been postponed, not abandoned. The Baghdad agreement of a week ago offers a respite, but probably no more. That is the view of the main policymakers in Washington and London, though it has not yet been publicly acknowledged on this side of the Atlantic.

Kofi Annan's success in defusing the immediate crisis has highlighted the widely differing international attitudes to handling Iraq. The predominant view in Europe and the Middle East is of admiration for his efforts, and relief that a dangerous military operation with muddled objectives has been avoided - so the United Nations inspectors can continue their task.

The Clinton Administration and the Blair Government have taken a friendly but sceptical view of the Baghdad agreement. They agree that it has reinforced the authority of the UN, but believe that Saddam Hussein only made concessions because of the threat of military action. The United States and Britain have no faith in his long-term willingness to abandon the development of weapons of mass destruction. On their view, there must be no let-up in military preparations until Iraq has allowed the UN team to carry out its inspections and it has been able to destroy chemical and biological weapons over a lengthy period.

The key factor is not the presidential palace but other "special sites" throughout Iraq that are suspected by the inspectors of containing chemical and biological weapon facilities. American and British officials doubt whether Saddam will allow the inspectors full and continuing access to these sites. Hence the discussion in the UN Security Council about a new resolution warning of "very severe consequences" if Iraq bars the UN inspectors. There is disagreement between the United States and Britain, on the one hand, and Russia and, to a differing extent, France, on the other hand, over whether

these words would on their own justify the use of force. But there is no doubt that the Clinton and Blair Administrations are determined to take immediate military action in face of further Iraqi obstruction.

However, unlike Mr Blair, President Clinton is under strong pressure to go even further and remove Saddam from power. The Congressional Republican leadership has been so hostile to Mr Annan's mission to Baghdad that he has postponed a trip to Washington since Senator Trent Lott, the majority leader, refused to meet him. Congressional leaders have been critical both because they believe it is wrong to trust a "mass murderer" like Saddam and because they dislike the Uni-

Threat blasted... page 17

ted States accepting the authority of the UN.

But, as Sandy Berger, the President's national security adviser, wrote in *The Washington Post* over the weekend, the Clinton Administration still opposes military action to remove Saddam because "the costs in blood, treasure and political isolation" are not justified. The most that the Clinton team seems prepared to consider is a stepping up of containment to isolate Saddam within Iraq.

The shift in the political debate in Washington over the past week presents problems for Mr Blair, at home and in the rest of Europe. He is under criticism on the Continent for failing as president of the European Council, to develop a common EU position, or at least to try to present a collective European view on his visit to Washington four weeks ago. Saddam must be delighted that his foes are so divided about both ends and means.

PETER RIDDELL

MPs to question Irvine

By JAMES LANDALE

THE Lord Chancellor will be questioned by MPs today about the £650,000 refurbishment of his official residence at Westminster.

Lord Irvine of Lairg's appearance before the Public Accounts Committee will be the first time he has come under public scrutiny since his close involvement in the renovation project was revealed in

a leaked letter published by *The Times*.

One MP said: "We're not going to take any compositeness and condescension. He may be Lord Chancellor but we are the guys who are elected and we are quite determined to hold him to account."

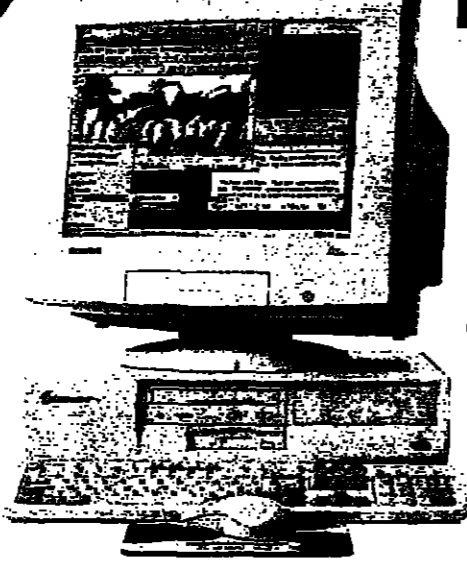
Tories on the committee said that they would question him about the advice he received from officials and ask him whether he realised how

politically sensitive the refurbishment might be.

Lord Irvine will also be asked how often the public will be able to visit the more than 100 publicly owned paintings due to be hung in the residence. He promised "substantial public access" in a statement last week but he had earlier suggested that access would be on two days a month and only for art experts, peers' guests and MPs' constituents.

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Mystery of missing antiquities sold by Sotheby's



The Mahu statue sold by Sotheby's for £16,000

Police reopen case 37 years after Egyptian artefacts disappeared from castle, writes Stewart Tendler

POLICE are investigating a mystery surrounding Egyptian antiquities that disappeared from a country mansion in 1961 and were later sold by Sotheby's to foreign dealers.

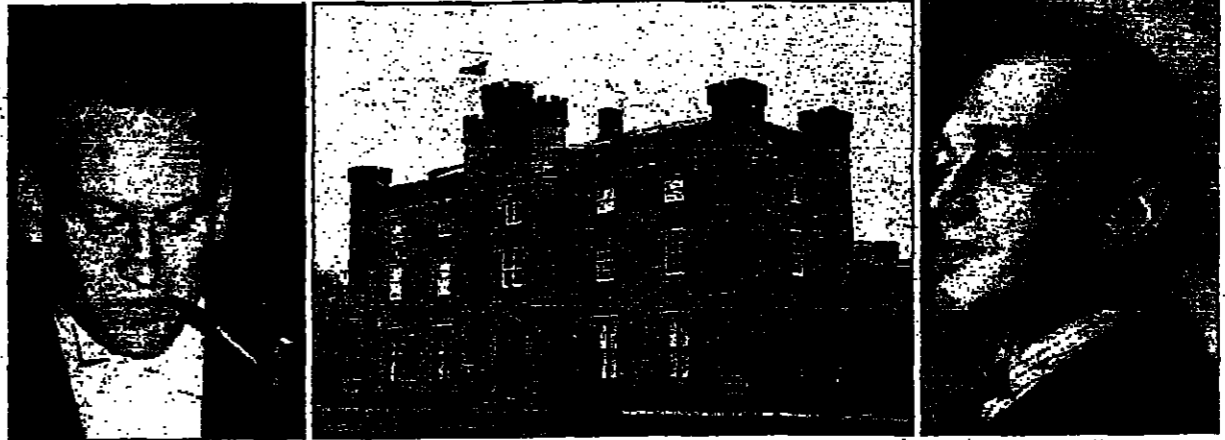
Hector Binney, an antiques collector, is alleged to have stolen the pieces while looking after Denys Eyre Bower's collection at Chiddingstone Castle near Edenbridge, Kent. The pieces were sold by Sotheby's in 1989 for £43,000 by Arabella Binney Killander, Binney's daughter, who was executor of his estate.

Kent police have reopened the case and a hunt has begun on the international art market to find the pieces, which are thought to have changed hands four or five times. Both collectors are now dead, but detectives expect to interview Mrs Binney Killander this week.

3,500 years old. They include a statue from the reign of Tutankhamun III from 1500-1292 BC depicting a kneeling figure of a priest known as Mahu. Other pieces include a stele, or gravestone, from 712-30 BC, and a basalt carved head 1783-1550 BC.

They were bought by Bower, a former dealer and eccentric collector who began acquiring pieces in his early 20s. In the 1950s he bought Chiddingstone Castle. The 120-room 19th-century castle became home to hundreds of antiques, including the Egyptian collection, furniture and Japanese works of art.

But in 1957 Bower, 51, shot and wounded his former fiancée after she had ended their engagement. The woman, 22, who styled herself a countess but was a dental receptionist from Peckham, South London, was not seriously injured. Bower was given life. In his absence, he installed



Hector Binney, left, looked after the Chiddingstone Castle collection while Denys Eyre Bower, right, was in jail

Binney, the cousin of the Earl of Cardigan, as custodian, according to Ruth Eldridge, managing trustee for Chiddingstone Castle. Binney, another eccentric collector, left the castle after a dispute in 1961. Later that year, Bower, released on licence, noticed that the Mahu sculpture had disappeared.

Binney twice told police that the statue had been in the castle when he left, but it and other missing pieces were never found. Binney died in 1986 at his home at Pampisford Hall, Cambridgeshire.

Bower died in 1977 and the castle became a charity open to the public. Last year a private history of the castle and Bower's life was published. An Egyptologist read the book and reported to the trustees that the missing Mahu carving had been sold by Sotheby's in 1989.

Miss Eldridge then discovered that four missing pieces had been sold for a total of £43,000 by Mrs Binney Killander. Estimates of the current values vary between a similar figure and £150,000. Miss Eldridge said she understood the pieces were sold to dealers in France and Switzerland. She believed Sotheby's should have done more to check the background of the pieces. Sotheby's said that it had been completely open about the ownership and had listed the pieces to the estate of Hector Binney. A spokeswoman said there was nothing to suggest otherwise, because in 1989 there was no way of checking whether an item had been stolen. The spokeswoman added that Sotheby's was taking the matter extremely seriously and had been in touch with the police, the trustees and the vendor. Mrs Binney Killander said that she had learnt of the dispute only recently and was surprised to hear about the allegations. "As far as I am concerned, these are part of my father's estate. My father's collection was enormous. I did not know a great deal about his collection."

Judge guilty of sexual harassment stands down

By RICHARD DUCE

A BARRISTER and part-time judge has stood down from trying cases after the Bar Council found that he had sexually harassed two female colleagues.

After the Bar Council fined him £500, Christopher Sutton-Mattocks agreed with the Lord Chancellor's Department that he should halt all work as a Crown Court recorder pending any appeal against the ruling. He is believed to be the first judge against whom a harassment claim has been made.

Claire Kavanaugh and an unnamed barrister had complained that Mr Sutton-Mattocks, who is married, had molested them and requested sex. Mr Sutton-Mattocks, who sits on the London and South East Circuit, which includes the Old Bailey, had strongly denied the claims.

Mr Sutton-Mattocks was not at the Temple chambers run by the leading criminal barrister Desmond de Silva, QC, yesterday. The chambers clerk said: "We don't know where he is. We think he may be abroad."

A spokeswoman for the Lord Chancellor's Department said: "The Lord Chancellor does not condone any sort of sexual harassment. He [Mr Sutton-Mattocks] has agreed

not to sit as a recorder until the matter has been finally resolved."

It is not clear whether Mr Sutton-Mattocks, who was educated at Oxford, intends to contest the findings of the Bar Council's three-man panel, but he has 21 days to appeal against last week's decision. The fine imposed by the council, the professional body for barristers in England and Wales, is at the lower end of a disciplinary scale that includes the power to suspend or disbar.

The second barrister came forward to support Miss Kavanaugh only after learning that the case had been reported to the Bar Council.

Miss Kavanaugh, 25, said in a statement to the council that she had asked her pupil master if there was anything she could do at work. "He said he would like to 'take me over the couch in the robing room'." She also complained that he had pestered her outside her hotel room during a trip to Calais.

The unnamed woman said most aspects of working with Mr Sutton-Mattocks had been "exceptionally good", but she had transferred to other chambers because he made a number of passes. That was the end of the matter; she had seen him since and they remained on good terms.

However, her statement added: "I do not feel I can — or should — conceal incidents of a similar and relevant nature that occurred during my pupillage."

Mr Sutton-Mattocks said in his statement to the Bar Council that Miss Kavanaugh had never made a complaint to anyone else in their chambers.

"The robing room at Guildford Crown Court is small, with people coming in and out all the time, and has a large plate-glass window facing the car park. I cannot think why she should have chosen to make a complaint of this nature."



Sutton-Mattocks denied women barristers' claims

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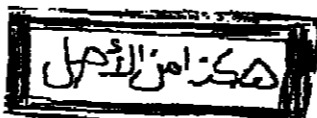


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Yeltsin seen to be reasserting control
Yeltsin sacks his deputies' guards
By ROBIN LODGE IN MOSCOW

PRESIDENT YELTSIN issued a directive yesterday depriving the leading reformers in his Cabinet, Anatoli Chubais and Boris Nemtsov, the First Deputy Prime Ministers, of their official bodyguards, along with those of ten other senior members of his administration. The move was clearly aimed at undermining the authority of the two men, who are regarded as the most powerful figures in Russia after Mr Yeltsin himself. Mr Nemtsov, in particular, is cited as a possible successor to the presidency.

No reason was given for the decision, which followed a Cabinet reshuffle at the weekend widely seen as a reassertion of power by Mr Yeltsin, who has expressed his dissatisfaction with his Government's performance, particularly over the economy.

Last month he gave an assurance that Mr Chubais and Mr Nemtsov would remain in their jobs, at least until 2000, despite earlier criticism of both men.

□ Burial approved: Mr Yeltsin yesterday upheld a Government decision to bury the bones of the last Tsar, Nicholas II, and his family, unearthed near Yekaterinburg in 1991, in the Romanov family vault in the Peter and Paul fortress in St Petersburg.

Germans hail emergence of rival to Kohl

The Chancellor has to rediscover his vote-winning touch, writes Roger Boyes

HELMUT KOHL is in trouble. That was the message trumpeted by the opposition Social Democrats who yesterday confirmed that Gerhard Schröder would be their challenger to the German Chancellor, and, less predictably, by the conservative media.

For the first time in an election campaign that has languished for months like a yacht in windless waters, Herr Kohl has a serious rival and is running scared. The questions being asked by many Germans are how quickly the Kohl coalition Government will unravel and whether the Chancellor's dream of a tightly integrated Europe will evaporate.

Herr Schröder, who was re-elected on Sunday as Prime Minister of Lower Saxony with a 47.9 per cent share of the vote — a postwar record — was treated as a hero in Bonn by the Social Democratic executive board, which confirmed him unanimously as the official contender for the leadership of Germany.

In doing so, many swallowed private doubts. Herr Schröder is not loved in the party. He plays truant from the regular Monday executive meetings and has not bothered to cultivate a Schröder faction.

The nakedness of his ambition, declared early and forcefully, has set him apart in a party that has become fright-

ened of power. The party preference is for Oskar Lafontaine, its chairman, whose commitment is to nurturing social democratic values, even though there is some uncertainty about what they now are.

But at a news conference yesterday, Herr Lafontaine gave Herr Schröder the party blessing, in the manner of a Roman emperor rugging the ear of a favoured gladiator. Herr Schröder's job is to beat Herr Kohl. After that, the party will reassert control and Herr Lafontaine — dubbed the Napoleon of the Saar, partly because of his height — will become the secret ruler of Germany.

First, however, Herr Kohl has to be beaten. Suddenly yesterday, this seemed possible. In Lower Saxony, the liberal Free Democrats crashed yet again, failing to secure a parliamentary seat. If they fail at a national level on September 27, Herr Kohl is doomed. His Christian Demo-

cratic Union (CDU) can rule only together with the Free Democrats or in a grand coalition with the Social Democrats. He says he will not preside over a grand coalition.

Analysis of the regional election on Sunday shows that Herr Schröder is winning over Christian Democrats — 28,000 switched allegiance — and also mobilising non-voters (42,000). The Germans respected Herr Kohl as a strong man. Now Herr Schröder is identified in this way.

The Chancellor's traditional election-winning assets — somehow he always managed to twin his campaign with economic recovery — are also dwindling. Economic growth this year may be as strong as 3 per cent, still largely export-led, but it is not making much of a dent on unemployment. Opinion polls consistently place Herr Schröder higher in terms of economic competence than the Chancellor.

Within the CDU, Herr Kohl is credited with almost magical powers in winning elections — he has led the party to victory four times. Yet closer examination of how narrowly he won in 1994 shows that this skill may be over-rated. It would take only 72,360 Germans to change their second-vote preferences for the Social Democrats to become the strongest force in parliament. That means converting 221 voters in each constituency. The Chancellor is on a knife-edge.

His one hope is to stir up an image of a swirling, uncertain world in which he is the only reliable anchor. He is particularly adept at this mood management. A glance at what a Social Democrat-Green coalition might do shows that the Chancellor still has room for action.

A Red-Green coalition would be at constant loggerheads over the fundamental rift between economic growth and environmental protection — between jobs and nature. Nobody is more aware of this than Herr Schröder, who sits on the supervisory board of



Gerhard Schröder hugs his wife Doris after the state election in Lower Saxony confirmed him as Helmut Kohl's main challenger for the German leadership

Volkswagen; the car industry is a prime target of the Greens. Herr Kohl must frighten the Germans and then ask them to trust him. That is how he has sold the euro — as the only reliable answer to a war-torn continent. Two thirds of Germans are hostile to the euro, but the same propaganda say it will happen anyway. Herr Kohl is hoping that he will be

seen as the protector, rather than the destroyer, of the German currency. It is thus the euro that rapidly become Herr Schröder's first challenge. The key euro decisions will be taken in early May; some four months before the general election. In this period, Herr Schröder has quickly won the trust of Germans in one of their most

anxious periods. To be sure of beating Herr Kohl, Herr Schröder has to exploit the disgruntlement of the nation. He will stop short, however, of a full-blown Euro-sceptical campaign: the party, and in particular Herr Lafontaine, will not permit him to stray too far from the Kohl line.

A German Blair, page 20

Scientists put out feelers to create robot bug

FROM ROBERT WRYMANT IN TOKYO

JAPANESE scientists have succeeded in creating an insect robot by fusing the antennae of a moth with a wheeled robot containing an electronic "brain".

The prototype "cybugs" have been developed by Japan's foremost university research centres in Tsukuba and Tokyo. The scientists hope to harness future versions to carry out tasks, including missions to help to get rid of locusts and other pests.

The driving force for the "cybug" is the power of a female insect to lure male suitors. Male insects are attracted by a pheromone, a sexual chemical secreted and released by the female.

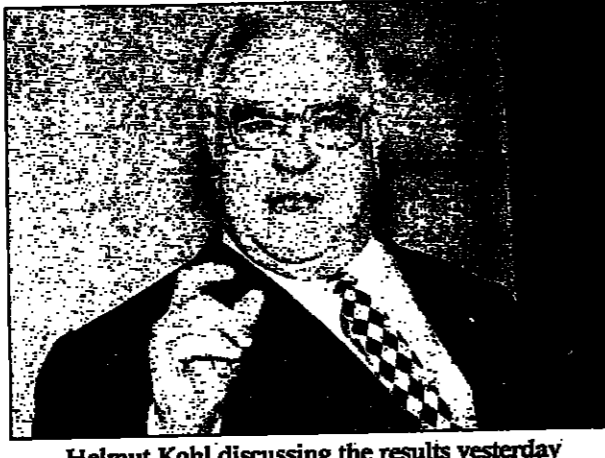
To create the prototype, the researchers removed the antennae from a male silkworm moth and integrated them with a tiny electronic unit. When the antennae detect the pheromone of the female, they generate weak electric signals that are processed by a microchip with a neural network similar to the neural system of the moth. The chip directs the movement of minute wheels on the robot, an inch to an inch-and-a-half-long, towards the scent of the female.

Although detached from a moth's body, the antennae continue to function and can activate the electronic circuits for three to four hours.

"The primary purpose of our study was to understand how an insect's tiny brain processes information," Mr Kanazaki said. "We succeeded in developing techniques to observe the actions of the insect brain and to reproduce the insect's neural system using electronic circuits."

Mr Kanazaki believes that various "species" of insect robot can be made to serve people in a variety of ways. "Imagine a bee robot. If we can manipulate the queen, we can control a swarm of bees. If we make a locust robot, then we can control hordes of locusts."

Yet another application is to fit moth robots with tiny cameras and dispatch them to inspect inaccessible areas.



Helmut Kohl discussing the results yesterday

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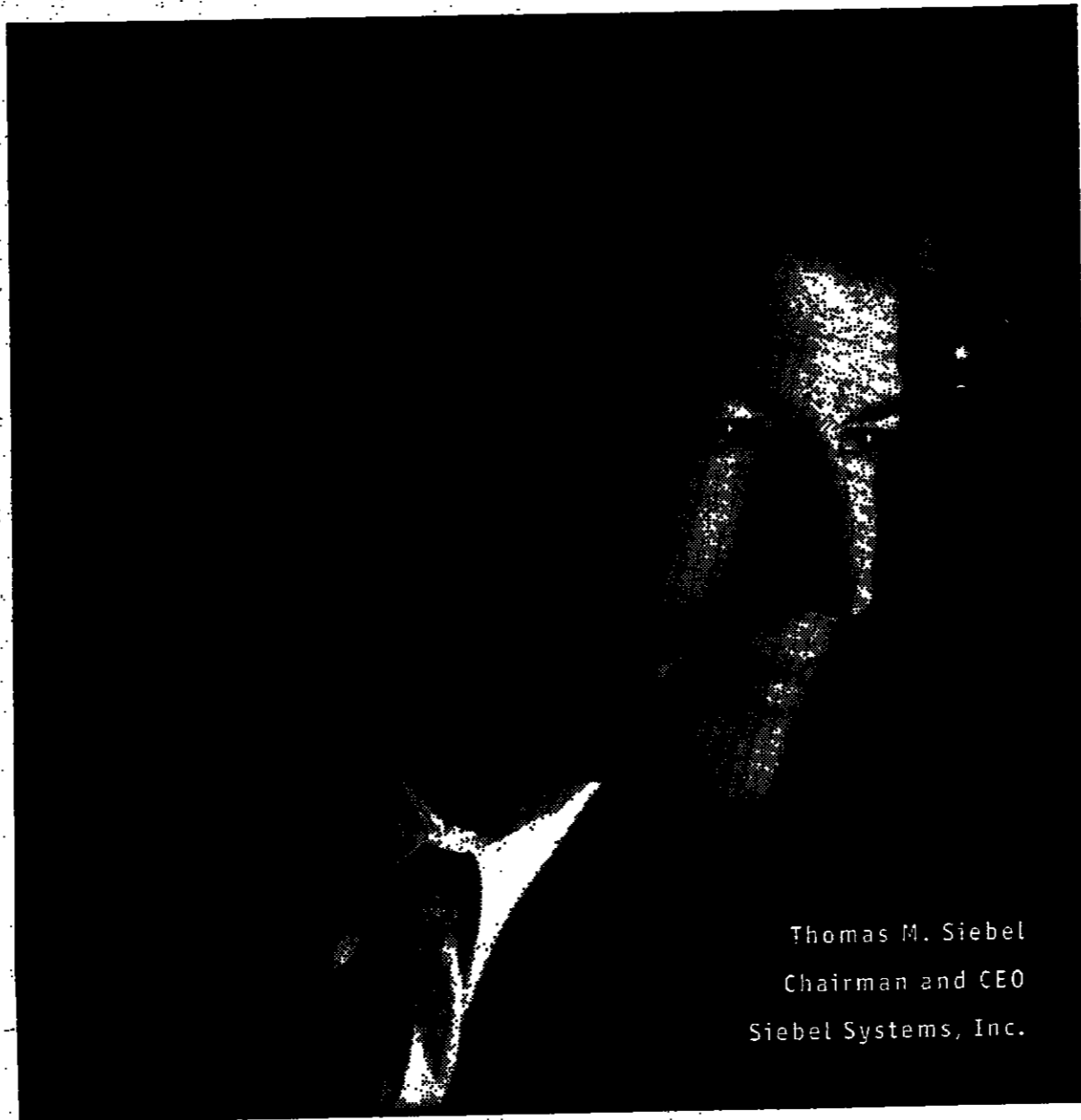
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CHANGING TIMES

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Object of bungled mission was murder, says Mossad agent



Netanyahu: being told not to appoint outsider

AS CONTACTS continued between Israel and Switzerland yesterday to free a Mossad agent detained in Bern last month, a senior Mossad officer said the true purpose of the bungled operation had been assassination and not bugging as claimed.

A senior Israeli intelligence officer says that the hit team arrested in Switzerland were on the trail of two businessmen with Hezbollah sympathies, Kevin Dowling and Christopher Walker report

saying only that the Israeli agents were working against "an organisation active in the Middle East, which has no formal ties with Switzerland".

political leader, in Amman, the Jordanian capital. The Mossad source said: "The attempt on Meshal's life failed when, instead of spraying the toxin into his ear, from where it should have travelled to the brain, causing haemorrhage and death within six to 18 hours, the poison struck his neck and collar."

operation in Switzerland had been approved by Danny Yatom, then the Mossad chief, in an effort to salvage his reputation, and that it had been opposed, "root and branch" by career officers within the service.

outsider, like former Major-General Yatom, unfamiliar with the world of covert intelligence.

Italy declares Tehran free of terror links

FROM RICHARD OWEN IN ROME

LAMBERTO DINI, the Italian Foreign Minister, yesterday raised the anger of America and some of Rome's European partners, including Britain, by using a visit to Tehran to exonerate Iran from "any association with terrorism" and insisting that the country's arms build-up offered "no cause for alarm".

Berlin restaurant in 1992. Italian officials said that under the "moderate" President Khatami, elected last May, Iran had taken a "new direction".



President Khatami greets Lamberto Dini of Italy, the first Foreign Minister from Europe to visit Iran since the EU revoked its diplomatic embargo, which was prompted by the murder of three Kurdish dissidents in Berlin

that he would make the point "openly and frankly" to Madeline Albright, the US Secretary of State, when she visited Rome next weekend.

pariah states such as Libya, Iraq and Iran, and recently opposed the planned Anglo-American military strikes against Baghdad.

Italian colony -- had "backed away" from terrorism. Italian officials said Rome hoped to become the first Western capital to re-establish ties with Tripoli, diplomatically isolated since the 1988 Lockerbie bombing.

Iran's judicial system. Ayatollah Muhammad Yazdi, issued a decree yesterday banning the temporary detention of suspects "before they are tried and a verdict has been issued", except in emergencies, the official Iran news agency reported. (AFP)

Fatima secret 'foretold Gorbachev peace role'

BY RICHARD OWEN

THE world was saved from nuclear war in the 1980s by the rise of Mikhail Gorbachev, who later "went down on his knees to ask the Pope for forgiveness" for the "sins of Communism", according to a new account of the so-called "Secrets of Fatima".

tery. The only survivor of the three, Lucia dos Santos -- now a 91-year-old nun -- wrote down the apparently apocalyptic message and passed it to the Vatican in 1944.

secrets revolved around Russian "military aggression and anti-religious persecution" after the 1917 Revolution, and its withdrawal from the brink of nuclear war nearly 70 years later after its abandonment of Communism and "reconversion to Christianity".

They allege the key event which averted nuclear war came when Pope John Paul II "dedicated Russia to the Virgin Mary" and prayed for Russia's conversion in St Peter's Square in March 1984.

time of high tension over President Reagan's "Star Wars" space weapons programme and the deployment of missiles in Europe. Mr Gorbachev met the Pope at the Vatican in 1989.

Suharto faces reform warning from Clinton

FROM A SPECIAL CORRESPONDENT IN JAKARTA

WALTER MONDALE, the former US Vice-President, arrived yesterday to convey to President Suharto of Indonesia what is expected to be a stern warning from President Clinton against renegeing on reforms agreed with the International Monetary Fund. Shortly after Mr

Mondale arrived, the Indonesian Government announced that inflation for last month was 12.76 per cent, the highest monthly figure since the chaos of the 1960s.

London International Group, in effect, will be contributing to the success of China's one-child-per-family policy, besides reducing the spread of HIV, although company officials denied that they were getting into the "controversial" family policy area.

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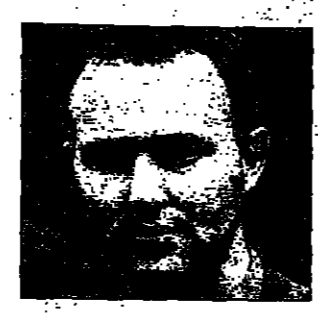
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verbs try
to quell
Albanian
revolt in
Kosovo

sad agent

Serbs try to quell Albanian revolt in Kosovo

SERB riot police yesterday attacked a crowd of nearly 50,000 Albanians marching through the streets of Pristina, the capital of Kosovo, where the majority of the population now actively seem to support secession from Yugoslavia.



Ethnic unrest raises Balkans fears, writes Tom Walker in Pristina



Serb police beat ethnic Albanians in Pristina yesterday. One demonstrator died and at least 150 were injured in violence as nearly 50,000 people marched through the streets

In some of the worst violence seen in Serbia in a decade, scores of demonstrators were beaten up and police gave vigorous chase to journalists, especially television cameramen who witnessed the bloody clampdown. Local television reported one dead in the demonstration — shot by police — and 150 injured. Two of them were in comas. Films and videos were confiscated or ripped apart, and in one instance police forced a cameraman desperately attempting to save his tape to jump from a second-floor window. In his fall he broke an arm and a leg, and witnesses say he was again kicked and punched on the ground.

Tension in Pristina increased in the afternoon, when a Serb policeman — killed in Albanian secessionist fighting over the weekend — was buried on the outskirts of the town. More than 1,000 angry Serbs watched a special police unit fire a volley of shots over the coffin. The Albanians are expected to bury their 16 dead today and tomorrow, and at least 100,000 mourners are expected.

The violence in Kosovo threatens to spill over into the worst-case scenario long pre-

dicted by Balkan analysts: an Albanian fight for autonomy that could split apart what remains of Yugoslavia, led by President Milosevic, and encourage similar struggles for independence among Albanian and other communities in the Former Yugoslav Republic of Macedonia and in Montenegro. Last night Kosovo's political parties, from the pacifist Democratic League of Kosovo to the warmongering supporters of the Kosovo Liberation Army, were debating how best to continue their struggle against President Milosevic, who for the moment brooks no compromise with the West in

his bid to suppress the revolt. Most Serbs side with him, believing that Kosovo, the seat of the Orthodox Church and the site of the last-ditch battle in 1389 that presaged 500 years of Turkish rule, is sacred ground. The predictable clampdown by the authorities yesterday began in mid-morning, when more than 500 riot police, supported by special Interior Ministry units in black uniforms, formed cordons dividing the demonstrators into vulnerable pockets. The lucky ones were doused by water cannon and bombarded with teargas, while others were openly beaten up.

The police chased some terrified demonstrators into buildings, including the offices of the local Albanian newspaper, *Koha Ditore*, from whose windows the injured cameraman jumped. As some Albanians

drove his car through a crowd of Albanians, injuring several. The exact numbers of those hurt were impossible to judge, as Pristina's main hospital was blocked off by the police. Many injured Albanians pre-

ferred to stay out of the state hospital, and several were treated in the Mother Teresa clinic near the town centre. A British diplomat helped to drive some of the injured to safety. At the police funeral

later — in a cemetery lying just beneath the ancient fields venerated as the site of the Battle of Kosovo — angry colleagues of the three dead officers vented their frustration at watching journalists. A Belgian reporter was thrown against a wall and warned that he would "be shot the next time".

The Serb security forces are paranoid that the Western media are portraying the Albanian guerrilla movement as a romantic freedom struggle. A growing desire to take revenge against the local population was also palpable. "You'll find out who these guys are soon, just wait," said one policeman, pointing to his black-shirted Interior Ministry colleague. "The Albanians have destroyed this country, and it stinks."

A civilian walking by said simply: "This is Serb land. Stop your lies." As Pristina sank into an uneasy calm before sunset, the first detailed reports of the weekend's conflict in villages around Glogovac, 20 miles to the southwest, emerged. The Serb police were shot dead by an Albanian whose car they were chasing. In the subsequent reprisals, Albanian witnesses claimed that Serb army and police units opened fire indiscriminately. In one village an armoured personnel carrier was said to have drawn up beside a house and fired a cannon round through the front window, killing a couple on a sofa. "The husband was trying to protect his wife; she had her face blown off," said one witness. Their four children were allegedly forced to lie face down in the garden for four hours afterwards. As well as armoured personnel carriers, helicopter gunships aided the slaughter. "They fired at everything that moved," said another witness. A pregnant woman was among the dead.

The violence could split apart what remains of Yugoslavia

ations began stoning the police, the fissures in Pristina society became open wounds. Serb students began hurling rocks at Albanian students, who are educated in a parallel university system, and one irate Serb

ferred to stay out of the state hospital, and several were treated in the Mother Teresa clinic near the town centre. A British diplomat helped to drive some of the injured to safety. At the police funeral

Macedonia fears spread of violence

FROM JAMES PETTIFER IN SKOPJE

FEARS are growing that the violence in Kosovo will spill over into the Former Yugoslav Republic of Macedonia, with the arrival here of a high-level delegation from the Belgrade Ministry of Justice. The delegation is believed to be seeking an agreement with President Gligorov's Government to allow Serb forces hot-pursuit rights over the border to arrest suspected guerrillas and to extradite them for trial in Serbia. Serb security sources here fear that even if they can restore full control over Kosovo, Macedonia will remain a safe

haven for members of the guerrilla Kosovo Liberation Army. There is evidence that they are operating in the mountainous border between the two states, and some of the radical Albanian leaders of the Party for Democratic Prosperity mostly originate from Kosovo. In the past two months, there have been bombings at police stations here which have been claimed by the guerrillas, and major arms finds near the western mountain town of Gostivar. Albanian political leaders are planning to withdraw from all Macedonian institu-

tions if the former Mayor of Gostivar, Ruzi Osmali, has to serve a seven-year jail sentence imposed for his part in last July's violent conflicts in the town. The Serb request for assistance poses a dilemma for the Skopje Government. Serbia is Macedonia's biggest trading partner, and ethnic Serbs have always played a major part in Skopje life. Serbs and pro-Serbs are powerful in the key Interior Ministry. But with elections coming this October, total alienation of the 25 per cent Albanian minority is not practical politics for Mr Gligorov.



Women block Nato war games in search for missing relatives

Tuzla: Dozens of women whose menfolk were probably killed when Bosnian Serbs captured Srebrenica almost three years ago caused a traffic jam in this northern Bosnian town yesterday to highlight their plight. The demonstration delayed the start of five-day Nato troop manoeuvres in the area because military vehicles were trapped in the jam. Local authorities refused to

allow the women buses to take them to Sarajevo, the Bosnian capital, to press demands for an answer about the fate of their relatives. The head of Tuzla canton, Sead Jamakosmanovic, said that residents of Sarajevo had complained about traffic jams when the Srebrenica women visited two weeks ago. He said that he had wanted to avoid confrontations and protect the women. About

7,000 men from Srebrenica have been officially listed as missing since the Serbs overran the town in July 1995. In Sarajevo, about 200 Srebrenica women gathered to demand information about whether their menfolk were dead or alive. "I lost four sons, a grandson, my husband, two brothers and two nephews. But I have not lost hope," said Munira Zukic, 67. "I still hope someone is alive."

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Reagan 'failed to recover from shot'

FROM BRONWEN MADDOX IN WASHINGTON

RONALD REAGAN never recovered after he was shot two months after taking office and his eight-year presidency, which has come to symbolise the sunny mood of 1980s America, was a private chronicle of mental and physical deterioration. Edmund Morris, his official biographer, who for 12 years had access to the former President, his family and his personal papers, says that the 1981 assassination attempt triggered a "very, very slow and steady mental and physical decline".

If that portrait is the most startling allegation in Mr Morris's long-awaited book, due out this autumn, and is echoed in a widely praised television documentary, the details of Mr Reagan's deterioration in office have emerged during a wave of glowing testimonies — obituaries in all but name — to the historical significance of "The Gipper", now 87 and suffering from advanced Alzheimer's disease.

Mr Reagan is now loved more than ever by millions of Americans for his simple conviction about the right road to prosperity. Yet his presidency was riddled with contradictions: he favoured balanced budgets, but pushed the national debt to unprecedented

heights. He is one of the few Presidents to have spun a distinct ideology of cutting taxes and "getting government off your back", yet left Republicans deeply split over that philosophy. For those in work, he brought back the golden age; for those who suffered in the wave of redundancies, he brought a mood of insecurity that persists today.

But the greatest paradox is that a man who has become the yardstick for presidential popularity was so often remote, inarticulate, and inscrutable. In a four-and-a-half-hour, highly regarded documentary on the Public Broadcasting System, his son Ronald Prescott Reagan said: "Alzheimer's is a terrible thing... but some of the pain may be lessened by the fact that things haven't changed that much, in a way. We're not missing something that we had to begin with." In apparently affectionate remarks, the younger Reagan warned filmmakers: "You're not going to figure him out, that's the first thing you need to know. I don't think he's figured himself out."

Mr Morris agrees: "What made Reagan uniquely difficult was that he was incurious about himself. There-

fore, he lacked introspection." Mr Morris sheds little light on one of the mysteries of the era: what Mr Reagan knew about efforts to sell arms to Iran and use the profits to help Nicaraguan Contras. "He was taken advantage of by aides, who thought they were doing his will, and probably were," Mr Morris told *The New York Times*. "But because of his remoteness, they never felt they had to double-check with him."

But Mr Morris confirms the "terrible secret" of the Reagan era, as Bob Woodward, the *Washington Post* reporter, once called it, that the President's growing remoteness was caused by a real decline in his faculties. In his second term, he spent ever-longer holidays at his Californian ranch and made clear his dislike of being briefed.

Mr Morris was given extraordinary access to the Reagan papers because Mr Reagan loved his 1979 Pulitzer-prizewinning biography of Theodore Roosevelt. In 1985, Mr Morris signed a \$3 million (£1.8 million) book contract with Random House for the Reagan work, putting work on a second Roosevelt volume on hold.



President Reagan raises his hand after being shot in 1981 and glances up before being bundled into his car by agents.

WORLD IN BRIEF

British food aid for North Korea

BRITAIN is to announce a new aid package for North Korea, tomorrow after reports from the United Nations World Food Programme that the famine-hit Communist state could run out of grain within two weeks (Michael Binyon and Victoria Fletcher write).

Details of British help were yesterday being finalised by the Department for International Development. Britain has no diplomatic relations with North Korea, and so Government help would probably be channelled through those aid organisations that have visited some of the worst-affected areas. The Rome-based WFP agency said that up to 19 million people could go hungry if North Korea's own prediction of grain shortfalls were true. The WFP, currently feeding 4.7 million people, forecasts that food stocks will run out at about the end of next month, a worsening of the situation compared with last year when they lasted until June.

Mugabe threatens strikers

Harare: Zimbabwean unions rejected government pleas to call off a two-day anti-tax strike, which President Mugabe has threatened to stop with force. The Government said it would deploy troops and police to prevent the stoppage planned for today and tomorrow. President Mugabe, Zimbabwe's sole ruler since independence in 1980, used soldiers in January to crush food price riots that killed six people. (Reuters)

Cardinal sex inquiry opens

Vienna: Vatican investigators opened an inquiry into a second wave of allegations of criminal sexual activity against Cardinal Groer, once Archbishop of Vienna, in a case that has rocked the Church in Austria (Nigel Glass writes). Days before investigators, led by Abbot Marcel Ronney, head of the Benedictine order, arrived here, the Cardinal was declared guilty by his successor and long-time apologist, Archbishop Schoenborn.

Mayhem halts Korea vote

Seoul: Mayhem erupted in South Korea's parliament, halting a vote to approve Kim Jong Pil, nominated by President Kim Dae Jung, as Prime Minister. Ruling party members swarmed around screened voting booths and sat on the wooden ballot boxes, pushing away members of the opposition Grand National Party, who cast blank votes to block the appointment. (AFP)

Vietnam bus plunge kills 50

Hanoi: As many as 50 people, mostly women and children, are believed to have died when a bus plunged into a lake in one of Vietnam's worst road accidents, police said. Rescuers worked to salvage the bus, which sank after colliding with a cement lorry in the central coastal province of Binh Dinh. Thirty people were taken to hospital, half with serious injuries. (AFP)

Carlos loses claim for cash

Paris: Ilich Ramirez Sanchez, right, the international terrorist better known as Carlos the Jackal, failed in a court here to win £2,000 compensation from Columbia-Tristar-France for *Contract on a Terrorist*, a film being planned on his life. Carlos, convicted in December to life behind bars for a triple 1975 killing in Paris, is facing trial for several other attacks. He claimed the film was an attack on his right to be presumed innocent. (AFP)

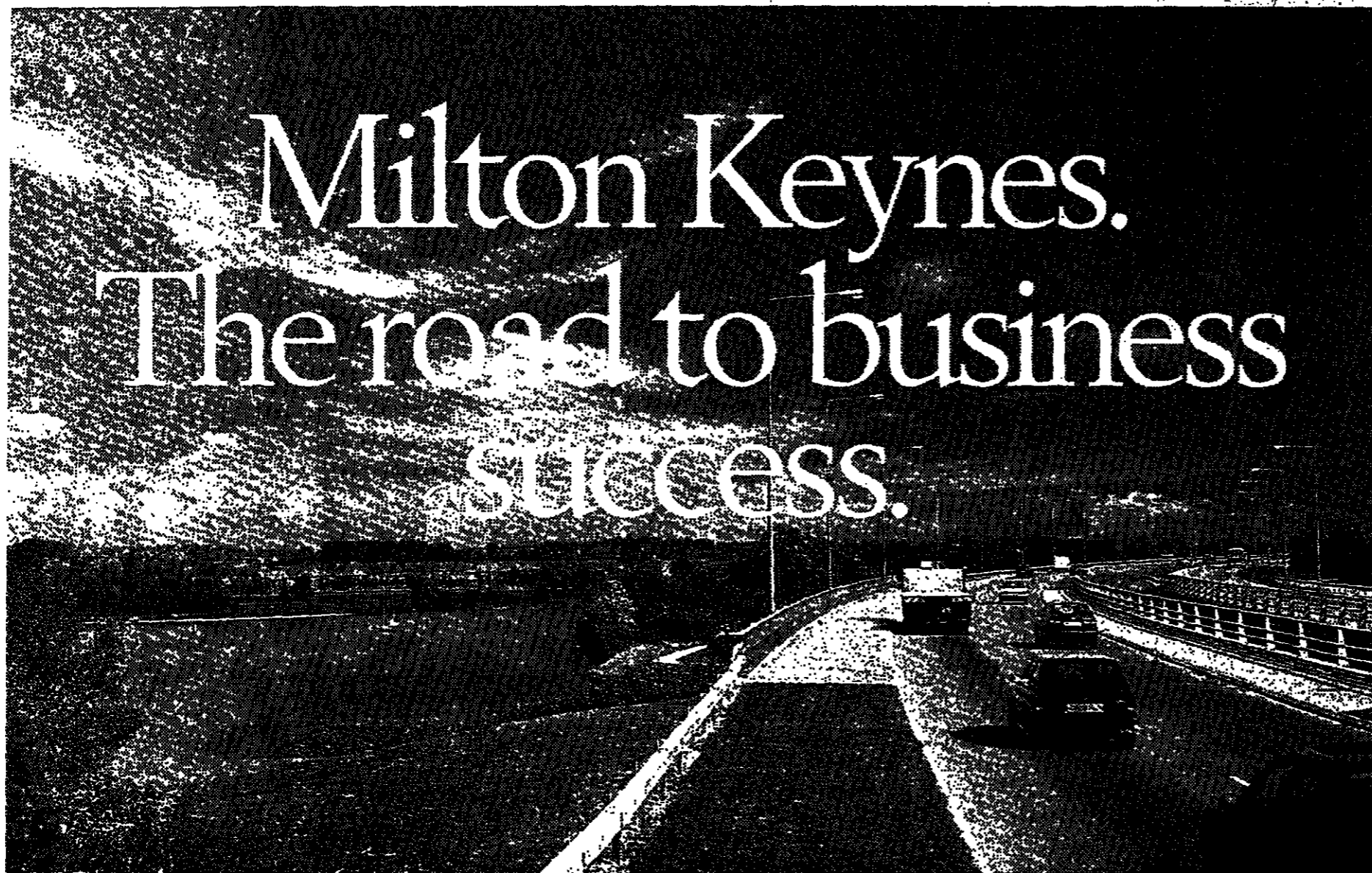


Nerve gas doctor faces life

Tokyo: The Japanese doctor who spread deadly Sarin gas on the Tokyo subway escaped the death penalty when prosecutors demanded instead that he be jailed for life. Itaru Hayashi, 51, once a promising heart surgeon, has admitted being one of the Aum Shinrikyo sect members who released the nerve agent into the subway in 1995, killing 12 people. (AFP)

Dog given bad name is shot

Nairobi: A dog has been sentenced to death in Tanzania for answering to the name "Immigration" (David Orr writes). A magistrate in the southwestern region of Rukwa ruled that the name made a mockery of a highly respected government department. It is believed the animal has already been shot.



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Uranium risk 'for 400,000 Gulf troops'

FROM IAN BRODIE IN WASHINGTON

A NEW controversy over Gulf War syndrome was raised yesterday by a private report alleging that as many as 400,000 American and coalition troops may have been exposed to hazardous particles of depleted uranium.

Pentagon officials, while admitting there may have been thousands of unnecessary exposures, insisted there had been no known health risk. They said that 33 soldiers who were exposed to the uranium had been closely monitored for the past seven years and none had developed health problems.



Clinton: report could add to embarrassment

Yesterday's report, which is considered alarmist by Pentagon officials and could further embarrass the Clinton Administration, was issued by the National Gulf War Resource Centre, a coalition of veterans' groups. Its estimate of 400,000 is based on surveys of the number of allied troops who reported having contact with destroyed Iraqi equipment.

Depleted uranium is a metal residue left after natural uranium is refined and all but a minuscule level of its radioactivity is removed. The residue is used in artillery shells and bombs for its effectiveness in piercing tank armour. When depleted uranium hits a target it usually burns and oxidises into small particles. If inhaled, they can be toxic.

Victor Suell, a radio operator with the US Marines when they swept into Kuwait, says in the report that no one told them to stay away from destroyed Iraqi tanks that might have been contaminated. He now suffers from kidney problems and other ailments.

Until recently, the Pentagon office investigating links between the mysterious ailments of Gulf War veterans and troop exposures to a variety of toxins and chemical agents had insisted that only 27 soldiers may have been exposed to depleted uranium. It also contended that the troops faced no health risks from their exposures.

But on January 8, in a report marking the first year of its

investigation, the Office of the Special Assistant for Gulf War illnesses made a sweeping — but little noted — admission that thousands of troops may have been exposed.

It acknowledged "serious deficiencies" in what troops were told about the dangers of depleted uranium. It said the hazards were well documented, but unfortunately known only to technical specialists and were not relayed to troops.

The veterans' coalition claimed that the Pentagon deliberately kept soldiers in the dark and failed to conduct immediate tests on those who may have been exposed.

"They were aware that they had a problem on their hands and they were looking to minimise the public relations fallout from it," said Dan Fahey, the principal author of the study, who works for the Swords to Ploughshares Veterans' Rights Organisation in San Francisco.

□ **Kurdish ailments:** Ten years after President Saddam Hussein dropped chemical weapons on the Kurdish city of Halabja in northern Iraq, its citizens reportedly continue to suffer devastating physical ailments and deformities. One account said damage had extended to victims' DNA, resulting in hideous birth defects that would continue for generations. (AP)



Petty Officer Scott Vanderpool greets his wife Alyssa in Norfolk, Virginia, on the return from the Gulf of the aircraft carrier USS Nimitz

Britain claims UN success on threat to Iraq

FROM JAMES BONE IN NEW YORK

BRITAIN claimed last night to have secured unanimous support for a new Security Council resolution warning Iraq of the "severest consequences" if it breaks its weapons-inspection pact with the United Nations. But the draft stopped short of authorising renewed military action.

Sir John Weston, Britain's UN Ambassador, said a vote would be taken last night and that he would be

surprised if all 15 council members did not back the resolution.

Britain was seeking to send a stern warning to Iraq not to go back on the Memorandum of Understanding it agreed with the UN Secretary-General to allow the resumption of UN weapons inspections.

Negotiations bogged down for a time as other Security Council members sought to ensure that the British draft would not be interpreted as giving automatic authority for a new military strike on Iraq if Baghdad

breaks the agreement. Diplomats in the meeting said the deadlock was broken when Sir John gave an assurance that the resolution did not entail such "automaticity".

The text emphasised Iraq's obligation to allow "immediate, unconditional and unrestricted access" to UN weapons inspectors and gave a warning that "any violation would have the severest consequences".

The draft also committed the Security Council "to remain actively seized of the matter for the purpose of

ensuring implementation of the present resolution and to secure peace and security in the area" — a provision taken by some members as a guarantee that council action was required for any future use of force.

Britain and the United States face stiff opposition within the Security Council to any proposal that appears to give new legal authority for airstrikes on Iraq if President Saddam Hussein goes back on his word.

Leading article, page 21

Clinton's privacy battle with Starr resembles replay of Watergate era

Ian Brodie reports on the growing legal feuding in the Lewinsky case

ECHOES of Watergate are growing louder in Washington as a feud intensifies between President Clinton and Kenneth Starr, the independent counsel, over the issue of executive privilege.

The term refers to the principle of confidentiality for candid discussions between an American president and his senior advisers. Its purpose is to protect the president and aides from having to answer questions in court about what was said at private meetings.

Mr Starr has brought the issue to the fore with his investigation into the Monica Lewinsky affair by issuing subpoenas ordering White House aides to testify before his grand jury. They include Sidney Blumenthal, a former journalist, and Bruce Lindsey, who has been at Mr Clinton's side since Arkansas days.

Both men have refused to answer certain questions, citing Mr Clinton's right to executive privilege. Now Mr Starr and White House lawyers are thought to be preparing to argue the issue before a Washington judge.

In 1974, the Supreme Court formally recognised the principle of executive privilege when Richard Nixon appealed to the justices against having to release Oval Office tapes of his discussions about Watergate. Damningly, though, the Supreme Court also ruled that Mr Nixon could not use the privilege to shield his criminal behaviour. Publication of the tapes ultimately forced Mr Nixon to resign under the

threat of impeachment. Mark Rozel, author of a book on executive privilege, says it is usually reserved for the most compelling circumstances, such as protection of national security. In the Lewinsky case, Mr Clinton may be using a losing argument. Mr Rozel said. So far, the White House has not officially acknowledged that it will claim executive privilege. It may well be nullifying over the historic link to Nixon's downfall. Besides, Mr Clinton claimed, initially at least, that he wanted to cooperate with Mr Starr's inquiries.

The summoning of Mr Blumenthal has pushed executive privilege to another level

of whether his right to free speech under the First Amendment of the US Constitution is being infringed. Mr Starr has argued that the First Amendment is concerned with truth, but its wording makes no distinction between truth and falsehood.

Mr Blumenthal told *The New York Times* that Mr Starr's grand jury prosecutors asked him about advice he had given Mr Clinton and Hillary Clinton on how to respond to accusations that Mr Clinton had a sexual affair with Ms Lewinsky. He was also asked if he had any discussions about Mr Starr or his staff with the President and First Lady. In both instances, Mr Blumenthal said he declined to answer on the grounds that such internal discussions were covered by executive privilege.

Suicide watch on novelist after siege

BY JAMES BONE IN NEW YORK

THE triumphant comeback of a promising American novelist, considered by some critics to be a Nobel prize contender, has ended in tragedy with the police storming her house and her husband killing himself.

Gayl Jones, 48, who had held a knife to her own throat during the police siege, survived unscathed and yesterday was on suicide watch at a

local hospital. Mrs Jones's first novel in 22 years, *The Healing*, was hailed as a literary event when it was published last month. The dustjacket carried high praise from such literary figures as James Baldwin, Maya Angelou and John Updike for her earlier books, *Corregidora* (1975) and *Eva's Man* (1976).

A glowing full-page review in *Newsweek* magazine, however, revealed that her husband, Bob Jones, had changed

his name from Bob Higgins and was wanted on a 14-year-old arrest warrant after brandishing a shotgun at a homosexual-rights rally at the university where she used to teach in Michigan.

Mr Jones had recently started harassing police and public officials in the couple's home town of Lexington, Kentucky, claiming that his mother-in-law had been kidnapped and murdered by racist doctors at the local hospital where

she died of cancer. Armed with the outstanding arrest warrant, officers went to the couple's home to take him into custody. When he turned on the gas in an apparent suicide attempt, a SWAT team stormed the house. Mr Jones slashed his throat with a knife and died later that night.

Mrs Jones's odyssey has stunned the literary world. When *Corregidora* was published in her mid-20s, she was hailed as a literary prodigy.

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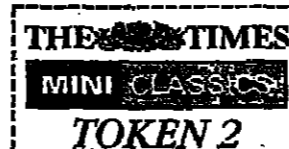
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Thinking outside the box

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How I fought against anorexia and bulimia

At four Marya Hornbacher thought she was fat. By 18, she weighed 52lb and was given a week to live. Interview by Jean Rafferty

Marya Hornbacher is tiny, a fierce little presence who, surprisingly, is not fragile or wispy or waiflike as you might expect from a recovering anorexic. Her hair is tied back into a severe bun and she is wearing geek-chic spectacles, the kind that make you look intellectual. She is an intellectual, who at the age of 23 has written in *Wasted* a coruscating account of what it feels like to be anorexic and bulimic.

She says something that women do not say in our society. She says she wants to gain 25lb in weight, maybe even 30. She thinks then she would look alive and energetic. Right now, she does not know how much she weighs. Her doctors think that information would not help her. For Marya, her body is a danger zone which she inhabits with a mixture of respect and vigilance. At the age of four she returned home from a baller class, looked in the mirror and decided she was fat. At five she started holding her breath to keep her stomach concave. By nine she was bulimic, throwing up after school. At 12 she was anorexic. She has been in

hospital seven times and was once within a week of dying. She was then 18, weighed 52lb and her body had finally had enough. Yet she lived. The reasons are simple, she explains. "Being ill gets boring after a while and I got really annoyed when I was told I was going to die. I thought 'well then, I won't'. Also, it struck me that it was entirely unoriginal to be starving to death. I was curious: if I could get that sick, I could get unwell. So I did."

Now she sees the doctor every week and has to monitor her health, both mental and physical, in order to survive. "I'm alive, which is really strange. I shouldn't be by all the medical evidence. So, given that I won't live to be 80, I can at least control whether it's 20 or 50," she says.

The medical consequences of her condition are devastating. Marya's heart is three quarters of the normal size. She has muscle erosion, a heart murmur and an ulcerated oesophagus which should be healing but isn't and gives her voice a Katherine Hepburn-ish rasp. She no longer has periods and often the mere thought of sex brings on headaches and stomach cramps, even though she loves



Author Marya Hornbacher: the legacy of years of eating disorders has been a raft of medical problems and continuing unease with her body

her husband very much. She will be unable to have children. "I regret the physical ramifications enormously," she admits. "You just don't think about it. You think 'everyone else will be damaged, not me'. After the first time in hospital, I knew the potential medical consequences but I kept doing it. Every last one came true - except that I'm not dead."

Meeting Marya is a strange experience. It requires careful, unrevealing clothes and a determination not to stare at her figure. All women have an observer inside their heads, saying first of all "how do I look?" and then "how does she look?" That observer, you would think, is at its most acerbic inside an anorexic's head. But Marya says not. "I don't look at people with that critical eye. Mostly I look at their faces, anyway. But healthy women look beautiful whether they're classically beautiful or not. I get furious with people who think that overweight people are weak. I know too much about the culture to think that."

Why are we glamorising people who look as if they're dead? What's next? Are they going to model clothes on corpses or skeletons?

"We're always talking about diet and weight and body and shape and size. We talk about nothing interesting. We say we do it to look good, but I don't buy that. We do it to feel whole, because we might fill up the emptiness."

In her case there was not just emptiness but fear - fear that she would not be good enough, fear of failure. Her parents were theatricals, her father a director, her mother an actress. Both, in their own ways, put pressure on Marya to be "great". Both had come from critical, demanding families who thought they were better than everyone around them. Her father, emotional, needy and insecure, resented by praising Marya to the skies. Her mother was cold and self-

sufficient, mortified that her daughter was failing in some of her school subjects, her shame totally unexpressed by the fact that Marya was brilliant in others.

"She was constantly trying to say 'really, you're not that big a deal'. She didn't want me to get hurt, but she was a little bit threatened. I don't think she'd ever met anyone as smart as her. It troubled her. Even now... we had a very difficult discussion one day, where I said to her 'the only time you ever believed I was as good as you was when I weighed 52lb'. Her mother hung up."

The reproach highlights one of the many paradoxes of anorexia. In our society it is almost a competitive sport. As a survival mode it is clearly insane and therefore undesirable, but it requires such effort of will that many women, constantly backsliding on

their calorie-counting, admire it. A frighteningly large number of us are simply failed anorexics, lacking the drive and willpower to sustain the effort. Marya has drive - ferocious drive that is an asset as a writer but has messed up much of her life. "With anorexia you're doing it so well, you'll die of it," she says.

At 12 she wanted to go to college and was furious that her parents would not let her move into her own flat. Her hyperactivity is partly chemical (her condition has been diagnosed as manic) but mostly it's just the way you're cooked," she says, with one of the many unconscious references to food that scatter her conversation.

In person she is cool and controlled, in anonymous blue jeans and simple white shirt. Only her constantly jiggling foot betrays her nervous energy. She has an addictive, adrenal-in-fuelled personality. When she smokes, she's a three-pack-a-day girl; when she went on an exercise kick, she worked out for three, five, eight hours a day. "I'll be between radio interviews for this book on eating disorders and I'll pop into the bathroom, drop my trousers and look in the mirror at my butt," she sighs. "Then I'll be back on air again in New York."

She is now happily married to Julian, whom she has known since they were both 16. They have a tight circle of friends who come round once a week for political and literary discussion and that most elemental of foods, soup. And yet there is the constant battle with her disorder, the days when it just doesn't occur to her to take something out of the freezer and defrost it for the evening meal. On those days, Julian has to cook. Marya must be the only person in Minnesota whose husband bought her a mobile phone because sometimes she just can't cope with food shopping. "What do you get in a grocery store?" she shrugs. "I'll have a certain time I have to be back, then he'll call me. I'll say 'I'm in aisle six, staring at the cake mixes'. He'll say 'now it's time to come home'. I'll walk out with milk and broccoli."

People are always telling her that she looks fine, she says, though she is dangerously underweight. And at first the observer inside your head agrees. But look closer - look as closely as she does, and you see that the cost of her disorder is written in her face: that her eyes look brilliant because they are set into a white, strained face that her jawline is rigid with tension.

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Relief at last for a common weakness

The 284,000 country people who marched from the Embankment to Hyde Park needed reasonably strong bladders. Despite the lack of cover during the walk - Piccadilly and Pall Mall are without any useful hedges - facilities were available only at the start and finish of the demonstration.

Those whose bladders are notoriously weak and who suffer from an unstable bladder with symptoms of urgency might have been able to enjoy their morning more if they had visited their doctor recently to inquire about a new preparation, Detrusitol tolterodine, introduced by Pharmacia & Upjohn last week. This helps one of the many causes of incontinence, detrusor instability, the "weak bladder" which some people suffer from all their lives. Doctors can help only those who seek advice. A recent survey shows that British people are more embarrassed than those from any other country in Europe about discussing bladder function with their doctors.

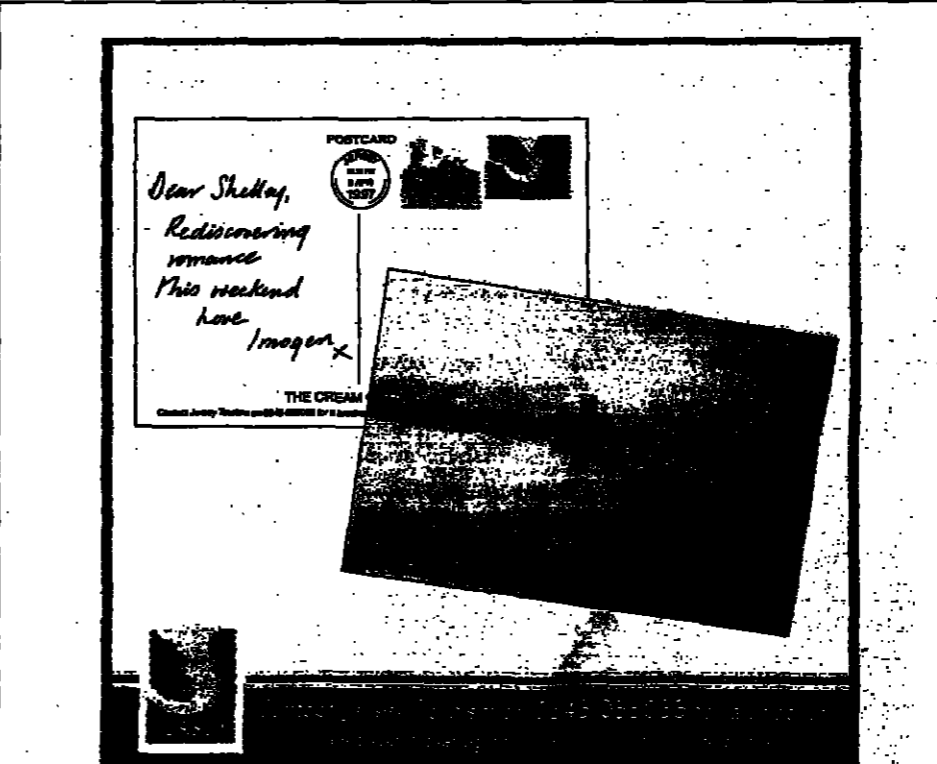
One in three of the British, as opposed to one in six of the continental Europeans, felt so ashamed of their incontinence that they couldn't even talk about it in the privacy of the surgery. It is not entirely certain that, even if they had plucked up the courage to start the consultation, the GP would have been very informative. Only 3 per cent of GPs interviewed regarded their training on the subject as completely adequate, and 14 per cent said they had had no training about it at all. However, 62 per cent did say that they had gained some knowledge about incontinence during general medical training, and 34 per cent had attended postgraduate tuition about it. Just 9 per cent of family doctors have held medical posts which required a specialist knowledge of incontinence.

Incontinence is not only a problem for the over-65s and under-fives. Three million people in the United Kingdom suffer from urinary incontinence. Once incontinence has become a problem, many have to modify their daily life and outside activities. The sufferer has to undertake some forward planning before he, or more likely she, is able to contemplate staying with friends, travelling, or even marching around London.

Incontinence may also alter their relationships with their family, partners and colleagues at work, and games once much enjoyed, like golf or tennis, can become a trial. The bladder is not an inanimate, balloon-like reservoir which empties when full. Its controlling mechanism is highly complex. The wall of the bladder is muscular with three different layers of muscle fibres which are known to the anatomist and surgeon as the detrusor muscle. Once the bladder is about half full, messages are sent to the brain that the person had better start to prepare for urination. The reflex may be kept under control for a time until a suitable opportunity to empty the bladder is found. During urination the bladder muscle (the detrusor muscle) contracts and the sphincter muscles at the neck of the bladder, and the pelvic floor, relax. Patients who have an unstable bladder have an oversensitive reflex which is triggered too soon, too readily and sometimes inappropriately. The result is urgency - a need always to rush; frequency - found in the person who finds it hard to sit through a film; and urge incontinence - a leak or dribble of urine while the bladder is still filling. The new preparation Detrusitol blunts the sensitivity of the reflex. There are other causes of incontinence as well as detrusor instability. The patient may have stress incontinence as a result of muscular weakness or damage whereby exercise, coughing or other straining exercises cause a leak; or overflow incontinence in which the bladder is always full and therefore repeatedly slops over like an overflowing water butt. Patients may suffer from more than one type of incontinence, and its causes may lie in the bladder, urethra, pelvic floor, brain, spinal cord or bowel and anus. Sorting out the nature of the incontinence is the first stage of treatment. Detrusitol is not a suitable drug for elderly men who are incontinent as a result of outlet obstruction because of an enlarged prostate, but it is more effective, and has fewer side-effects, than existing preparations for the treatment of bladder instability. Even so, Detrusitol may cause a dry mouth, indigestion (particularly in those with a high hiatus hernia), some blurring of vision and drowsiness. Detrusitol doesn't mix with all antibiotics and fungicides.

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Kissing one of life's little pleasures goodbye

Every traveller's right to a tender send-off on the platform is under threat. Jane Shilling reports

I was a lover and his lass, with a hey, and a ho, and a hey nonny... "No, sorry missus. Yes, it's you I'm talking to. You can't do that here, I'm afraid. It's against the bylaws. Can't you see the sign? No kissing on the station, except within designated areas where it does not constitute an obstruction to other members of the public. Now, then, I'll have to ask you to move along, please." Well, really. You don't have to have lipsyched your way through 365 showings of *Brief Encounter* to understand that nowhere in the world is as romantic as a station platform with the train about to depart. The *Fort Neuf*, the Spanish Steps, the *Taj Mahal* — you can keep the lot of them. The thing about railway stations is that however nasty and banal they may look, they are lent an unearthly glamour by the fact that what you do at them is part of a death that takes him off to his management position at B&Q

homecare, and you to the issuing desk of the local children's library, perhaps never to meet again. I mean, anything might happen. He might be squashed by an item of patio furniture. You might contract fatal septicaemia from a bolshy toddler. So what do you do on the platform? You give him a great big kiss, that's what. And off he goes, enveloped in that lovely golden glow that only parting can lend, until you meet again... (at 7.45, on account of the 6.40 having been delayed by an untoward incident in the signalling box). Would you let him go unmissed? You would not. It would be, as Mrs Treverton of Warrington remarked, while kissing farewell to her husband, Warrant Officer John Treverton, as he set off for Plymouth, "a pretty miserable send-off". But then, if the Warrington Chamber of Commerce has its way, WO Treverton must brace himself against a future of miserable send-offs. For the Gradgrinds



Public kissing tells — is intended to tell — a story, such as these soldiers bidding loved ones farewell in 1935

of the Warrington Chamber of Commerce do not care for kissing, unproductive activity that it is, taking place on the town's Bank Quay station. They feel it leads to congestion. "Nobody wants to

curtail amour," said the chief executive, Colin Daniels, "but the world has to keep moving." A delegation of chamber representatives set off (unkissed, we must presume) on a visit to

Chicago, a city where kissing is not just frowned upon, but has been stamped out by the introduction of regulations and prohibitive signs. These signs (they show a bloke who has not thought to

remove his hat before attempting to plant one on his lady friend; she, in turn, appears to have rollers in — frankly, you wouldn't want to kiss either of them) took the fancy of the Warrington Chamber of Commerce. So much so that, if Virgin Trains agrees, the chamber will soon be making its discouraging presence felt all over Bank Quay station.

Oh! Shame! Yet another infringement of our civil liberties is threatened. No rib of beef, no hunting — and now no kissing. I feel a march coming on... Except that, well, when was the last time you saw a couple kissing in public and felt the urge to go "Aaaaah" rather than, say, fling a bucket of water over them? The kiss, that beautiful, graceful token of tenderness, passion and esteem, that inspiration to artists throughout the ages, is actually a tricky act to perform successfully in public. To bring it off you need to be not merely as beautiful as Ceia Johnson and Trevor Howard, but as chaste. Dry pecks somehow speak more eloquently (at least to the spectators) than copious exchanges of body fluids. From a public point of view it helps, too, if at least one of you is

in uniform — preferably on the way to, or just returning from, some frightful scene of conflict. This is because public kissing tells — is intended to tell — a story. The lovely young couple embracing wordlessly, then parting without a backward glance: the 80-year-olds who cling together, reluctant to let go; that plump, plain woman whose handsome husband gazes anxiously into her face; as though he might never see her again... Mr Daniels of the Warrington Chamber of Commerce will frighten them all away with his little signs. And with them, that more commonly seen example of the public kiss — the spotty teenagers with nowhere else to go, sucking and fumbling at each other like a brace of mating sea slugs. The sound-effects are revolting; the end of the story not in doubt. The increase in decorum to be gained by their absence is probably not a matter for regret.

Still, if Mr Daniels has his way, it will alter for ever the spirit of Bank Quay station. No longer the scene of a thousand daily human dramas, it will become a mere transit point. Uncongested, and no doubt magnificent in terms of moral hygiene. But lacking, somehow, the true romance of *la gare*.

ALAN DAVISON

Happiness is the perfect revenge

Media reacted by murdering her children. Clytemnestra butchered her husband and his mistress in the bath. But last Saturday, Della Bovey achieved a far better result with a pair of Manolo Blahniks, thus solving the wronged woman's eternal dilemma — how to take revenge without losing one's dignity, or worse, in the process. For those not in the know, Mrs Bovey's husband, and father of her three children, left her for Anthea Turner earlier this year. There are several aggravating circumstances, not least of which is that Della Bovey counted Anthea Turner as a friend. Ms Turner is also more successful, and her media profile ensured that the whole country shared in Mrs Bovey's humiliation.

A jilted wife finds a new way to get even — and keep her dignity. Grace Bradberry reports



Grant Bovey and Anthea Turner: false sense of security

It is customary in such cases for the wronged wife to give a tabloid interview, which, at some point, descends into insults and vituperation, much of it levelled at the Other Woman. The most famous example was furnished by Vivien Merchant, when Harold Pinter left her for Lady Antonia Fraser. "He didn't need to take a change of shoes," she told a journalist. "He can always wear Antonia's." She has very big feet. "It was a brilliant put-down, but if I was intended to be cathartic, it failed — Vivien drank herself to death at the age of 53." Mrs Bovey achieved this course. She gave one bright little interview to *Hellie!* of the "I grew strong" variety, then kept quiet. Thus Mr Bovey and Ms Turner were lulled into a false sense of security, believing that the proverbial pet rabbit (of *Fatal Attraction*

fame) was safe. And, indeed, it was. Della Bovey's revenge was not of the petty, deranged variety, the sort that makes an erring husband whistle with relief. All she did was to show up at the same party as the happy couple, and take to the dance floor in a scarlet Dolce & Gabbana dress and Blahnik silences. She danced into the early hours, they left, and there can have been few more unsettling sights for Mr Bovey than that of his estranged wife glowing with apparent happiness. Just like the marriage breakdown, it was not a private humiliation. The great thing about a showbiz bash — this one was to celebrate Michael Flatley's *Lord of the Dance* breaking box-office records at Wembley Arena — is that the paparazzi are always on hand. Mrs Bovey has not wat-

lowed in her triumph by giving interviews. Instead, her friend Kerry Ross, wife of the television presenter Paul Ross, another cheating husband but one who stayed with his wife, has given us enough detail to illuminate the dark areas. All of Mrs Ross's remarks enhance her friend's self-respect. Crucially, she insists that the two of them planned their Saturday night out before realising that Mr Bovey and Ms Turner would be present — an important point lest Mrs Bovey be mistaken for one of those women who enjoys singing along to Gloria Gaynor after a couple of bottles of Chardonnay. Mrs Ross does admit to there being some forethought. Mrs Bovey's self-esteem will, after all, be greatly increased by the world knowing that she played some part in the rout. "We found out that afternoon, and yes we realised it might be an ordeal," says Mrs Ross. "But Della was in the better position because she knew they were going to be there. Preparation makes a big difference. To be surprised would be awful," she adds. "The media attention has been quite difficult for Della," she says. "It's tempting, especially when people are throwing money at you, to talk to the press. It's been harder for Della to walk away and say 'I'm not going to do that'. She's decided that the most dignified

way was not to go in with all guns blazing."

She was, of course, right. The more outrageous the revenge of the woman scorned, the more ridiculous it seems in retrospect. Lady Sarah Graham-Moore no doubt had a lot of fun distributing the contents of her husband's wine cellar on neighbouring doorsteps and slicing up his clothes, but in the long term, can it really have enhanced her self-esteem? The point about such a gesture is that it is definitely "one for the girls", and is guaranteed to inspire contempt in men.

The clever thing about Mrs Bovey's little triumph is that it was also one for the boys. In pubs around the country tonight, men will debate whether Grant Bovey hasn't made a terrible mistake.

But will this help Della Bovey? Will she one day come to rue those photographs in some degree, and discover that revenge, no matter how subtle, can never be sweet?

Professor Petruska Clarkson, a consultant psychologist and author, suggests that the word "revenge" is often misused. "Some people think it's revenge to pull a face at someone. Then there are the childish acts, such as cutting the sleeves off all their clothes. At the other extreme are people who commit suicide on the marital bed of the person who has committed adultery. "I'm probably slightly on the side of whoever said that the best revenge is a happy life. That means withdrawing your anger from the person who has hurt you, and putting your energy into all the positive things in your life."

The Rev Dr Geoffrey Scobie, a social psychologist at Glasgow University who is also ordained in the Anglican church, believes revenge and the desire for it, has a negative effect in the long term. "If you've been hurt by somebody, then you're controlled by that event," he says. "If you go into revenge mode, you're still at the mercy of that event. "You have to be able to live without reference to such things," says Dr Scobie, referring to adultery and marital break-ups. "But if you can do that after one or two dressing-up episodes, you're OK."



Della Bovey showed up at the same party as the happy couple and took to the dance floor in a scarlet dress and stilettos

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887

The euro: how they got away with it

Yesterday Europe got its single currency, says Anatole Kaletsky

You may not have noticed, but the European single currency, which was due to be launched on January 1, 1999, has been brought forward. To all intents and purposes, the economic and monetary union foisted on a reluctant Helmut Kohl at Maastricht by François Mitterrand, opened for business yesterday morning.

The mark, franc and lira have been abolished and from this week there are only three significant currencies left in Europe — the euro, the pound and the Swiss franc. The legal paperwork will, of course, take another ten months to finish. But, in financial market parlance, the merger between France, Germany, Italy and most of the other economies of continental Europe went "unconditional" last Friday.

What happened then was the publication of statistics showing that 11 of the 15 European Union governments had satisfied the convergence criteria for EMU laid out in the Treaty of Maastricht. These governments now have no option but to go ahead and transform their currencies into mere denominations of the euro. From January 1, 1999, the mark, franc and lira will be, in law, as closely related to one another as were the British florin, guinea and half-crown. The euro can no longer be thwarted by elections, courts or speculators. It is a fait accompli.

For Germany or any other country to try to stop the euro, or to exclude another country now that it has achieved statistical convergence, would involve an abrogation of solemn treaty undertakings, an act of international sabotage almost tantamount to the declaration of war.

Italy, despite its towering government debt, now pays only 0.34 per cent more than Germany for its ten-year bonds. This tiny differential is narrower than the spread between what different state governments have to pay in the United States. The fact that the markets now take a single currency so readily for granted — that, to all intents and purposes, the financial world is behaving already as if the mark, franc and lira had been merged — implies an unthinkable level of damage if EMU were somehow delayed or if any of the 11 candidate countries were left out.

The early arrival of a single currency prompts numerous questions. I will touch on just one. How could the EMU sceptics (myself included) have been so wrong? The answer has two parts.

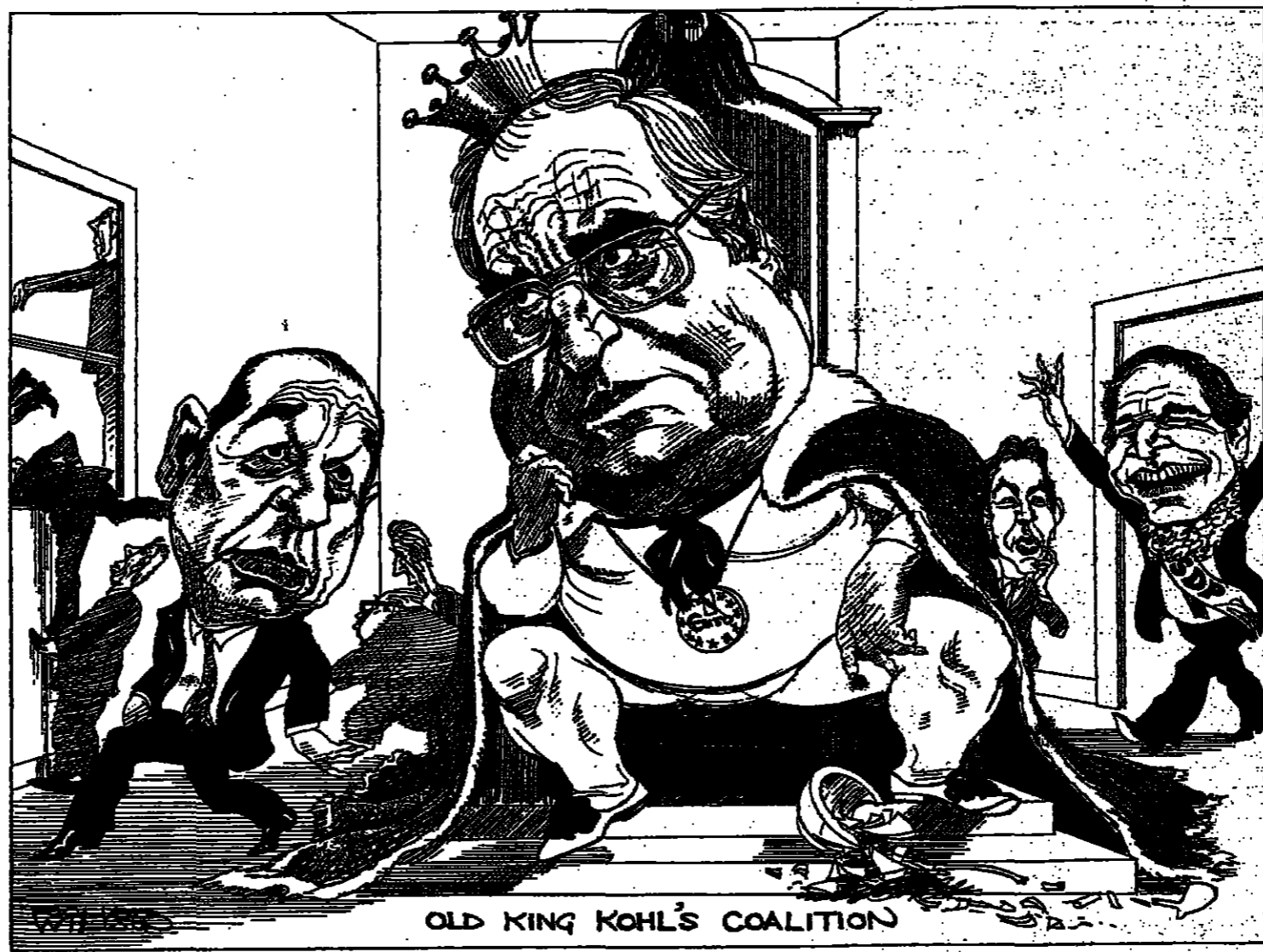
First, the goalposts were shifted to ensure that everyone could score. This process began with the French Government's decision to rewrite the accounting rules of the France Telecom pension fund and treat this as an enormous reduction in the public deficit. Once this dodge had been approved by the European authorities, the floodgates were opened. Other governments had no trouble inventing similar gimmicks to make

their figures fit. In Italy's case the effect was more subtle. The Government was ready to make a serious effort to reduce its public deficit, but only if it could be sure of reaching the EMU promised land. Without creative accounting, this would have been impossible. But once France had broken the taboo on creative accounting, it became clear that Italy did have a genuine chance of hitting the targets by supplementing a tolerable amount of genuine belt-tightening with some French-style accountancy dodges.

None of these dodges would, however, have succeeded without the second, and bigger surprise. This was the strong support of the German Government and the Bundesbank, not only for France but also for Italy to become a founder-member of EMU. German support was critical because both France and Italy could have been blown off course at any time by a serious speculative attack. The new French Government of Lionel Jospin explicitly stated that it was no longer prepared to fight speculation against monetary union with higher interest rates. Italy was even more vulnerable, because its hopes of hitting the Maastricht criteria depended on the achievement of dramatic and continuous reductions in interest rates. But these reductions depended, in turn, on the chances of Italy joining EMU. As confidence grew in Italy's EMU chances, it began to enjoy a virtuous circle of lower interest rates and still lower deficits. Yet if the German Government or the Bundesbank had at any point cast a serious aspersions on Italy's membership chances, the virtuous circle would immediately have gone into reverse. The lira would have come under attack, Italian interest rates would have had to be raised and the country's chances of joining the single currency would quickly have disappeared.

This raises another fascinating question. Why did the Germans, who had been widely thought to favour a "narrow" euro, prove so obliging to Italy (as well as to Spain and Portugal)? Perhaps German industrialists were so worried about competing with Italy and Spain that they were prepared to abandon their dreams of building the euro around a German-dominated "core" of northern European states. Perhaps it was genuine altruism. Or perhaps it was just another instance of incompetent German diplomacy which began when Herr Kohl allowed President Mitterrand to run rings around him at Maastricht, in exchange for French "agreement" to German reunification.

Whatever the explanation, the euro is now effectively the currency of Europe. Italy and Spain are members. And the Bundesbank, for decades the symbol of Germany's monetary domination of Europe, is now even more of a lame duck than Helmut Kohl.



Murdoch on the bone

Freedom of speech is not the issue in the row between Patten and his publishers

Out here in the cold, bleak, bitter countryside, chewing over the weekend's newspapers by a dead stove, I have come to my conclusion about the great story of the day. Despite naysayers' attempts to protect me, and doomsday warnings of what it might do to my brain, I have concluded that all things considered, I prefer Rupert Murdoch on the bone.

You can keep your pallid, sanctimonious, filleted, minced-up vegetable consensus. At least with the garney, full-flavoured gristy T-bone version of a media tycoon you can make up your own mind which bits to spit out. I have followed every word of the dispute over HarperCollins's decision to drop Chris Patten's book, and still my personal thermometer of outrage refuses to budge beyond blood heat.

But then, I never was under the misapprehension that The News Corporation, which is the parent company of The Times, was owned by a philanthropic committee chaired by St Francis of Assisi. You do not have to be Sherlock Holmes to work out that Mr Murdoch is a businessman who owns lots of things and expects them to make money. It is not a closely guarded secret that he has business in China, a country controlled by a powerful one-party state which can block businesses that offend it. Nor is it news that Mr Murdoch thinks very little of the former Governor of Hong Kong, Mr Patten.

The only mild surprise is that his employees at HarperCollins bought Mr Patten's book in the first place; this suggests that in Britain, at least, the company felt unimpeded by its owner's known views. Perhaps they were lulled into optimism by the undeniable fact that HarperCollins has already published books condemning Chinese communism, like Jung Chang's *Wild Swans*. Certainly Mr Patten says that he expected no difficulty when he took Mr Murdoch's money.

However, at some level — we are not incontrovertibly sure which level, and the horror of big corporations is that middlemen often think more like the boss than the boss does himself — the publisher decided that Mr Patten's views on China were too strong, and dropped him. In doing this the management of HarperCollins (presumably not a very happy ship anyway) made graceless mistakes and wrote the kind of news which

always get leaked. Mr Patten's editor resigned with a flourish, and newspapers which hate Mr Murdoch leapt with glee on the story and ran it as though it were enormously important. They predicted that floods of top authors would flee the publishing house in disgust and that HarperCollins would be "brought to its knees" within weeks. And, as if that were not enough, Simon Heffer — has actually left so far. Comically, he was suddenly hailed as "highly respected" and his book on Enoch Powell called "long-awaited", even by newspapers who normally think

rather the Army's determination to sack Major Eric Joyce for his gaudy attacks on its class system. Just as the Pongo tendency seemed to be covering themselves with credit for artfully putting up with this maverick and his cheeky magazine, they flew into a rage and threw him out of home and job. He can't run to another army, can he? But since Rupert Murdoch didn't do it, the coverage is muted.

But to return to the Demon King himself, and other media proprietors. It seems to me that as long as there is more than one of them they do not matter over-much. Mr Patten's book is dropped by one company and others scramble to publish it; a paper is slow on a story that affects its proprietor, and a horde of others do that story with redoubled glee. I do not know why, anybody who relies entirely on one media outlet for their information, except perhaps a few very elderly *Mirror* readers too deaf to bother with the radio. And the very rivalry between media means that consumers are increasingly sophisticated about the filth through which events are brought to them.

The *Mirror's* front page is devoted to the fact that inside the newspaper is an interview with Trevor Rees-Jones, even the least reflective of its readers does not conclude that this is the key news of the day; just that *The Mirror* wants to sell more copies. If a Mail group newspaper has large pictures of Rothermeres sharing a joke, nobody thinks that this is because they are the most interesting people the Editor can think of. *Observer* readers in the time of Tiny Rowland learnt not to expect much criticism of certain African regimes (or not without the dickens of a public row). BBC audiences have given up expecting the corporation's redundancies to be analysed in its bulletins (another swath of jobs lost in radio production was announced last week). In the 1960s Lord Beaverbrook, a foe of episcopalianism, greeted the aban-

donment of talks on this subject by dictating across the Atlantic the *Scottish Daily Express* headline: "Jehovah has triumphed — the people are set free!"

It stretches from such subtleties to the faintly ridiculous. Note that Conrad Black, owner of the *Telegraph* group, once made it publicly clear that he disapproves of long skirts and like legs. Since then there have been more and longer legs in *The Daily Telegraph* than anywhere else. Yesterday, page 16 bore six full inches of the *Telegraph's* amazing pins, an article on how to improve your own and a peasant about a garden designer in "high suede boots and a buttermilk minkskirt".

I ain't saying that every media employee wakes up daily and thinks "How can I please the big boss today?", but certain cultures do tend to prevail. Oddly enough, this particular newspaper has fewer such ties than most, the main evidence of proprietorial influence being its price cuts. On the page, frankly, the rule seems to be that you write what you think in a way that interests or provokes readers, and the management leaves it alone unless you have libelled somebody or inadvertently ascribed a line of Browning to Lord Rosebery. And when colleagues at media parties (usually in pensionable jobs on *The Guardian*) sanctimoniously say now "sod it" is that you are "working for Wapping"; you learn to point behind them and say "Oh, wow, isn't that Charlie Blair?" and make a run for it in the general stampede.

The cold fact is that the vast majority of media are run for profit, and owned and ultimately managed by people more interested in profit than in content. Murdoch's and Rothermeres and Northcliffes and Blacks and Maxwells and Montgomerys and Hollicks make the money, administer the empires, take the losses, rarely get a kind word from anyone, and earn the right to an occasional tantrum. It is up to elected governments to put limits on their power by making sure they are various enough, and keeping their companies within acceptable bounds of decency, privacy, and truthfulness.

It is up to readers to decide what to read. It is up to human rights campaigners to make a racket if we leave things out. It is up to journalists to flourish out if necessary. That's it, really.

Libby Purves

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Poetic Waugh

AUBERON WAUGH, the *éminence grise* of literary London, has launched an extraordinary attack on Ted Hughes, the Poet Laureate. Waugh, who in the flesh is charm itself, describes Hughes in his *Literary Review* as a "rotten poet" and his work as "pretentious drivel". The vicious comes after the hulla-balloo in January stirred up by the publication of *Birthday Letters*, the poet's revelatory verse narrative about his life with Sylvia Plath. Waugh (pictured left) dismisses "the excitement generated over *Birthday Letters*". He also announces that his magazine will not be reviewing Hughes's *Tales from Ovid*, his reworking of the epic which won this year's Whitbread Book Award.

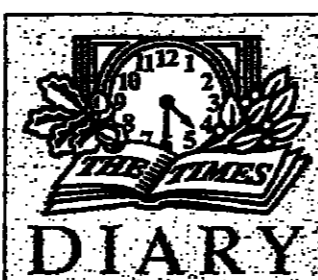
"We decided to ignore it," spits Bron. "Ovid was a master of metrical form. Hughes, to put it mildly, is not. Where Ovid skipped and played in his own beautiful landscape, Hughes stumbles around in the mud... It is not his fault he is a rotten poet, and much of the blame must surely attach to the insecure, fashion-conscious literary establishment which encourages him to write such pretentious drivel."

Andrew Motion, who hailed *Letters* as a "thunderbolt from the blue" described Waugh's words as childish. "The *Review* has a very strict line on poetry, and poor old Ted would never score very highly



on Auberon's scale. It is difficult to tell if he really means it seriously, or if he is winding us up. Well, I refuse to be wound up."

● **BARONESS THATCHER** has suffered an act of treachery greater even than that dark night when her Cabinet colleagues forced her out of Downing Street. Grantham Town Football Club has sacked the town's most famous daughter as team president because she has missed too many matches. The busy schedule of an international elder stateswoman clearly holds



little water with Gary Mills, the coach who has taken the team to the dizzy heights of the Dr Martens Midland League. Thatcher has taken the stab in the back with all the grace she showed in 1990.

Hart bypass

THE bonds between Tony Blair and his Lord Chancellor become ever more close. Garry Hart, who takes up his job as special adviser to Lord Irvine of Lairg on Thursday, is, I can disclose, godfather to Katherine Blair, the PM's nine-year-old daughter.

While I have no doubt the godfatherly position ensures that the youngster receives excellent presents twice a year, it will greatly add to the annoyance of Martha Osamor and Jane Croker. Respectively a Labour Party activist and solicitor, who both applied unsuccessfully for the job as Irvine's adviser, they have each launched claims for alleged discrimination against the Lord Chancellor.

Osamor and Croker claim the good lord relied on the "old boys network" in appointing Hart. But Irvine's new courtier was shocked that anyone should suggest such a thing: "I don't think Katherine had any hand in my appointment."

● **LISA JARDINE**, the exuberant author and media don, asserted last Sunday that the English novel is dying because of its obsession with "narrow subjects like adultery in *Hampstead*". Will Self, the iconoclastic author, responded at the Royal Society of Literature debate: "As one who has committed adultery in *Hampstead* and found it very pleasurable, I believe it fully deserves its place in the British tradition."

Royal spin

COLIN BYRNE, a member of the new Labour aristocracy, is thought to be one of the names being considered as a contender for the role as the Queen's spin-doctor on £100,000 a year. The Royal Director of Communications will attempt to portray The Firm as relevant, a position he is eminently



AN APPEAL has gone out to Lord Gowrie to help to rescue two paintings in the Lords. *The Meeting of Wellington and Blucher after Waterloo* and *The Death of Nelson* (detail above), painted by Daniel MacIose, the Irish artist, and commissioned by Prince Albert have hung in the Royal Gallery since the 1860s, but are fading. "I didn't help that, in the last century, they tried to clean them with bread," says Makolom Hay, the curator. I'm sure Lord Gowrie, chairman of the peers' works of art panel, will ride to the rescue.

qualified to fulfil. Byrne, now a consultant with Shandwick, the PR firm, worked closely with Peter Mandelson a few years ago and later for various charities run by the Prince of Wales. A former partner was Julie Hall, Neil Kinnock's erstwhile PR chief. One problem might arise between Byrne and the Palace, however: he has been quietly providing advice for the anti-hunting lobby.

● **NICE: DARKE** relied on his memory of the stang in Starsky and Hutch to ensure authenticity when penning *The Dead Monkey*. The play, about an ageing Californian surfer, has its premiere this week in *Hampstead*. Lucky that the lead is to be filled by David Soul, the co-star of the classic *Serpentis* cop series.

EDWARD WELSH

A German Blair to oust Kohl?

Roger Boyes on the man who would be Chancellor

There are those who accuse Gerhard Schröder of surfing the Zeitgeist, skimming the side of German popular opinion which is turning not only against Helmut Kohl, the Chancellor, but also European Christian Democracy. Certainly there is something of the chancer about Herr Schröder, the Social Democrat who, as a result of a thumping victory in regional elections on Sunday, is now seen as the man most likely to topple Herr Kohl in September.

He takes up causes from Euroscepticism to illegal immigration, and promptly drops them if the polls turn sour. It is precisely this quality, or lack of it, that is most feared by the Chancellor. Herr Schröder is a moving target.

He is not, of course, Gerhard Blair, despite some superficial similarities to the Prime Minister. But the strategist who crafted his reelection campaign in Lower Saxony — where he remains state Premier until such time as he deposes Herr Kohl — has distilled the Blair Method. Like Mr Blair, Herr Schröder faces the task of ousting a conservative administration that has grown arid in office. Herr Kohl has led Germany since 1982 and is the longest-serving European statesman.

The German strategists concluded that the Blair Method had at least five exportable features. First, it found a way of mobilising traditional voters while poaching from the Centre. Workers were as concerned as the middle class about violent crime, poor schooling, juvenile delinquency and youth unemployment, yet, under Herr Kohl, these policies had come to be regarded "as the preserve of the Christian Democrats. Herr Schröder tried to reverse the trend and courted the business community.

The Blair cookbook has been used to develop a raft of policies that is supposed to address the fears of unemployment, impoverishment and of Germany being left behind. Herr Schröder learnt from Mr Blair how to make policy subordinate to personality, while ensuring he did not appear charismatic. Germans have been schooled for 50 years to distrust charisma in their leaders.

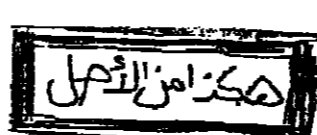
The media has been used to create a consensus for change. Herr Schröder has played along, dying his hair to disguise the fact that at 53 he is not exactly a young buck. There are other lessons from Labour: Herr Schröder has learnt to build temporary coalitions with the party (particularly in North Rhine-Westphalia) and across the electorate. Above all, he has grasped the need for cushioning change by dressing up policy in familiar, almost Kohlian terms.

While all this may seem familiar, even reassuring to British observers, we should not imagine that Germany under a Chancellor Schröder is about to play along with Wapping. There is a European shift away from Christian Democracy to the Centre-Left, but Mr Blair is its beneficiary, not its cause. The differences between the British Labour Party and German Social Democracy are of the most fundamental kind. Both were a reaction to rapid industrialisation, but Germany's take-off came 50 years later and its Social Democrats were coloured deep red by Marxism. Even when the party embraced the market in the 1950s, it remained a grade to grave organisation: it was relatively easy for Mr Blair to make Labour electable. Winning elections, however, is only a marginal concern for many German social democrats.

Herr Schröder's function as an election-winner is thus rather despised, a diversion from the real task of organising work and workers to protect their rights from bosses. Many SPDs would rather have a week's extra guaranteed holiday than a year in government. Herr Schröder is beholden to this party; it will be his ball and chain. He needs his chairman, Oskar Lafontaine, to deliver unity. The latter will be Germany's secret ruler if Herr Schröder becomes Chancellor. Herr Lafontaine's influence would be similar to that of Willy Brandt as party chairman during Helmut Schmidt's chancellorship.

It is here that the parallels with Mr Blair break down. Moreover, a Chancellor politically handicapped in this way could spell trouble for Britain. Even if Herr Schröder makes the Social Democrats the largest party, it will be Herr Lafontaine who steers the subsequent coalition negotiations. If, as seems likely, he moves towards an alliance with the Greens, alarm bells should ring throughout Europe. Such a government would be backward-looking, weighed down with politically correct but unfeasible goals. For example, the idea that ever higher environmental standards will in some way create jobs (Nere dustmuffin). The Eurofighter, signed and sealed, will be up for negotiation again. So will any other agreements with Britain and France. The Red-Green vision of Europe and the euro is even more hidebound than that of Herr Kohl.

"There for a change" is worthy slogan but it has to be abandoned quickly. What kind of change? In which direction? A weakly governed Germany is as disturbing a prospect as the strongly assertive power of Herr Kohl's heyday.



COURT CIRCULAR

BUCKINGHAM PALACE
March 2: The Queen and The Duke of Edinburgh gave a Reception this evening at Buckingham Palace for the winners of The Queen's Award for Export, Technological and Environmental Achievement in 1997.

People involved in community regeneration projects and later meeting those involved in the Aiming High initiative, a project of the Stoke-on-Trent Community Partnership, partly funded by The Prince's Trust.

The Duke of York, The Princess Royal, The Duke of Gloucester and The Duke of Kent were present.
March 2: The Princess Royal, President, Save the Children Fund, this evening attended the Meetings and Incentive Travel Industry Gala Presentation Dinner at the London Hilton Hotel, London W1.

The Prince of Wales, President, The Prince's Trust, afterwards visited the Hothouse, Longton, a converted school accommodating a number of small computer-aided design businesses run by young people assisted by The Prince's Youth Business Trust.

ST JAMES'S PALACE
March 2: The Prince of Wales today visited Staffordshire and was received by Her Majesty's Lord-Lieutenant (Mr James Hawley).

The Prince of Wales, President, The Prince's Trust, afterwards visited North Staffordshire Royal Infirmary, Stoke-on-Trent, and toured the chemotherapy unit, meeting patients, nurses and donors to Macmillan Cancer Relief.

His Royal Highness this morning opened the Methodist Homes' Claybourne Residential Home for People with Dementia, Stoke-on-Trent, toured the home and met residents and staff.

The Prince of Wales, Patron, Macmillan Cancer Relief, afterwards visited North Staffordshire Royal Infirmary, Stoke-on-Trent, and toured the chemotherapy unit, meeting patients, nurses and donors to Macmillan Cancer Relief.

Today's royal engagements

The Queen will hold an Investiture at Buckingham Palace at 11.00. The Duke of Edinburgh, as Patron and Trustee, will attend receptions at St James's Palace for young people who have reached the Gold Standard in the Duke of Edinburgh's Award at 11.30 and 4.00; as Patron, will give a luncheon and chair a meeting for the Outward Bound Trustees, at 12.45; and as President, will host a reception for the Westminster Abbey Trust at Buckingham Palace, at 6.00.

His Royal Highness, as Patron, the Royal Television Society, will attend a presentation on digital technology at BBC White City, at 6.15. The Princess Royal, as Chancellor, the University of London, will attend a conference for students on Asia/Europe at the School of Oriental and African Studies, Thornhaugh Street, Russell Square, London WC1, at 10.30; will formally open new laboratory facilities and library extension at the Institute of Psychiatry, De Crespigny Park, at 2.00 and a new research centre at King's College Hospital, Denmark Hill, London SE5, at 3.45; will open and visit the new asthma/respiratory disorders clinical trials centre at King's College School of Medicine and Dentistry, London SE5, at 4.20; and will attend a drill night evening on board HMS President, 72 St Katharine's Way, London E1, at 7.15.

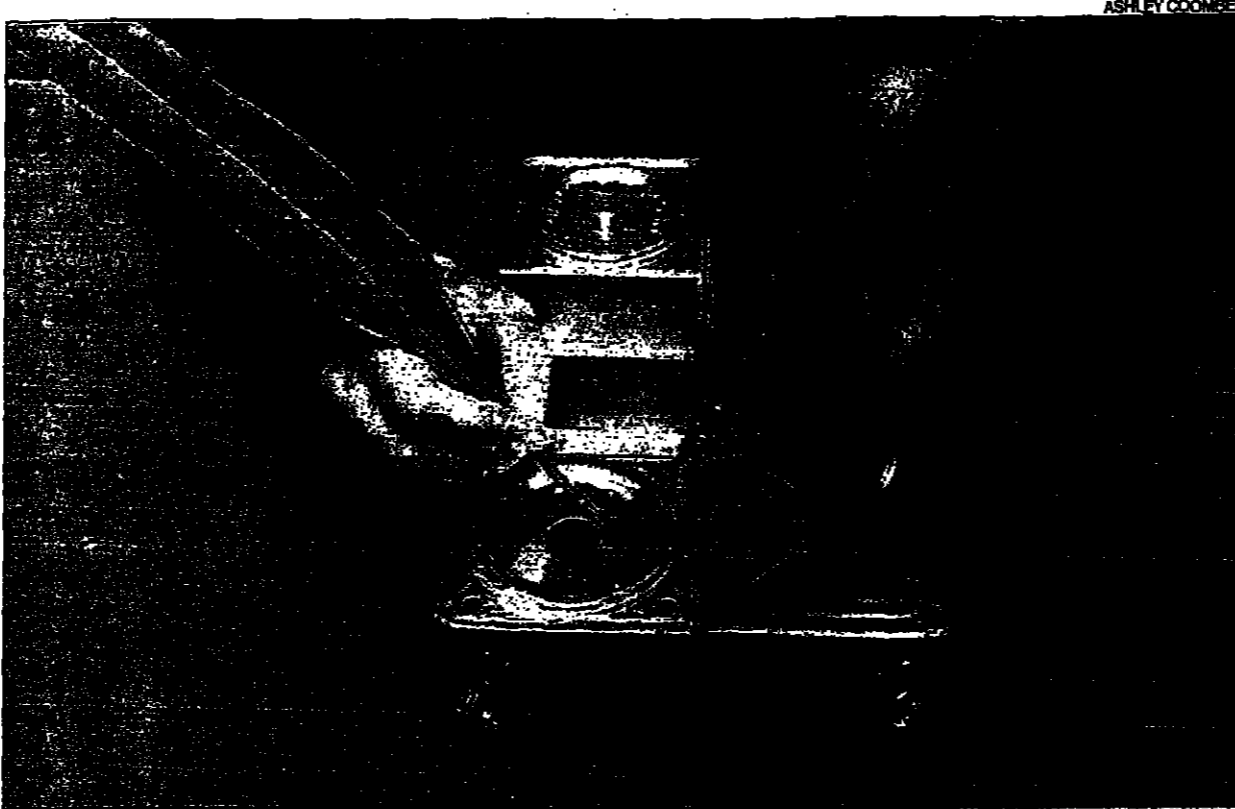
Sir Frank Roberts

A service of thanksgiving for the life and work of Sir Frank Roberts, C.M.G., C.V.O., will take place at St Margaret's Church, Westminster Abbey, at noon on Thursday, May 14, 1998. All are welcome, and those wishing to attend are requested to apply for tickets, for this service only, to: The Rector's Secretary, Room 14, Little Cloister, Westminster Abbey, SW1P 3PL, enclosing a stamped (first class) addressed envelope. Tickets will be posted from April 14.

Mr Deryk Wakem

A service to commemorate the life and work of Mr Deryk Wakem, former pupil and long-serving member of staff at Forest School, will be held at 2.30pm on Sunday, April 26, in the Chapel of St John the Baptist, Forest School, Synnersbrook, London E17. All will be most welcome.

BMDs: 0171 680 6880
PRIVATE: 0171 481 4000



This inkstand made for Sir Robert Walpole, England's first Prime Minister, by the noted 18th-century silversmith Paul de Lamerie, is expected to sell for between £400,000 and £600,000 next month. The inkstand is part of a collection of de Lamerie's work, owned by Jaime Ortiz-Patino, grandson of Bolivia's tin king Simon Patino, that Sotheby's will be auctioning in New York for an estimated \$5 million.

Premium Bonds

The £1 million prize in the Premium Bond draw for March was won with bond number 4522 100814. The winner lives in Dorset, and has a bond holding of £20,000.

Institution of Civil Engineers

The following candidates have been admitted to Corporate Membership, Associate Membership and Technician Membership of the Institution of Civil Engineers following the successful completion of the 1997 Autumn session of Professional Reviews:

- Corporate Members: Addison C R; Ainsley C S; Akirajo A S; Anderson A R T; Atkins M W; Atkinson P J; Bailey M C; Bains A J; Balfour J P; Beadell R; Blackie P; Blackstock R; Brackley J L; Randall M F; Ray C S; Rhodes James C P; Robinson D J; Roche T P; Rowe D P; Rudin P J; Saidi E; Saied P O; Sampson C; Samuels H J; Sanderson D; Santos I M; Sarva A; Schofield A; Sidley M J; Sinaran T K; Singh C; Smeaton P J; Smith M A; Smith A T; Soeddon J M; Soukupova E; Stanley C L; Stevenson A D; Stewart G R; Stewart P J; Suttow R J; Swindon R E; Taylor R; Taylor R J; Thompson P; Timothy M J; Trinder J P; Treanor C A R; Ucheji J; Urrut T R; Walls K; Warner J D; Warren K D; Welsh M A; West P J; Weston G R; Whitby P; Williams K P; Williams R; Williams S S; Wilson I M; Wilson P M; Wiseman J C; Wright G; Wright G J; Young M J; Ziale S.

Appointments in the Forces

Royal Navy: Rear-Admiral N.R. Eissenheit to be promoted Admiral and to be Commander-in-Chief Fleet, Commander-in-Chief Eastern Atlantic Area and COMNAVFORWEST in succession to Admiral Sir Michael Boyce on September 11. This appointment carries with it membership of the Admiralty Board of the Defence Council.

Baron Hamlyn

The life barony conferred upon Mr Paul Bertrand Hamlyn has been granted by the name, style and title of Baron Hamlyn, of Edgeworth in the County of Gloucestershire.

Anniversaries

BIRTHS: Edward Herbert, 1st Baron Herbert of Cheshire, statesman and poet, Eyton, Shropshire, 1583; Edmund Waller, poet, Colehill, Buckinghamshire, 1606; Sir William Davenant, poet, Laurence 1626-88; Oxford, 1606; Thomas Olway, dramatist, Truro, Cornwall, 1652; William Godwin the Elder, philosopher, Wisbech, Cambridgeshire, 1750; William Macready, actor-manager, London, 1793; Alexander Graham Bell, inventor of the telephone, Edinburgh, 1847; Albin Oskarsson, economist of Sweden, 1875; Robert Adam, architect and designer, London, 1728; Francis Egerton, 3rd Duke of Bridgewater, engineer and canal builder, London, 1803; Nicolas Copernic, novelist and dramatist, Moscow, 1822; Copsey Fielding, landscape painter, Worthing, 1852; Arthur Koestler, novelist, committed suicide with his wife, London, 1933; Danny Kaye, actor, Los Angeles, 1907; Beethoven's Moonlight Sonata was published, 1802; Bizet's opera Carmen was first performed at the Opera Comique in Paris, 1875; President Kemal Ataturk abolished the Caliphate and disestablished the Islamic religion in Turkey, 1924; The US Congress adopted the Star-Spangled Banner as the American national anthem, 1931.

University news

Cambridge: Emmanuel College: The following have been elected to a research fellowship at Emmanuel College, Cambridge, for three years from October 1: Mr D.R. Pratt (Downing College); Mr A. Redding (Queens' College); Mr A.J. Willis (Southampton University). The Sir Alan Wilson Research Fellowship: Dr J.P.K. Doye (Downing College).

Birthdays today

The Hon Peter Brooke, C.H., M.P., 64; Mr Charlie Brooks, racehorse trainer, 58; Mr Peter Calver, racehorse trainer, 64; Lord John Girdell, former racehorse trainer, 46; Sir George Gardiner, former chief executive, ITC, 62; Dr Rod Hackney, former president, RIBA, 56; Mr Martin Laven, former member, Amateur Quarters, 71; Ms Mervyn Lowther, personnel director, Bank of England, 44; Mr Maurice Lynn, former Headmaster, The Oratory School, 47; Professor Angus McGrouther, plastic and reconstructive surgeon, 52; Mrs Eleanor McLaurin, former Lord Provost and Lord-Lieutenant of Edinburgh, 60; Air Vice-Marshal C.G. Maughan, 78; Lord Melish, 85; Mr J.F.X. Miller, Headmaster, Royal Grammar School, Newcastle upon Tyne, 48; Mr Stephen Morrison, managing director, LWT Productions, 51; Sir Peter O'Sullivan, racing commentator, 80; Sir Mark Prescott, racehorse trainer, 50; Miss Miranda Richardson, actress, 40; Mr Ronald Searle, artist and cartoonist, 78; The Earl of Sutherland, 37; Lord Templeman, 78; Miss Fatima Whitbread, athlete, 37.

Dinners

William Hulse's Grammar School: The Lord Mayor and Lady Mayoress of Manchester were the principal guests at the William Hulse Founder's dinner held yesterday in the school, Mr D.A. Bottomley, Chairman of Governors, presided. The guests and Mr B.J. Purvis, Head Master, President, The Adhucense, Dr David Barikman was a speaker at a talk dinner held last night at the Athenaeum, Mr Hugh Brigstocke was in the chair.

Legal appointment

Mr Robert Ian Martin to be Regional Chairman of the Social Security, Medical, Disability and Child Support Appeal Tribunal for the Midlands and East Anglia Region.

Church news

Retirement: The Rev Richard Palmer, Vicar, Devon (Trent) to retire April 12.

PERSONAL COLUMN

TRADE: 0171 481 1982
FAX: 0171 481 9313

BIRTHS: Lord of Hesse, you test the lightning and search the depths of the heart. To you I have committed my soul. Jerusalem 20: 12.
BIRTHS: On February 26th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.
BIRTHS: On February 26th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.
BIRTHS: On February 27th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.
BIRTHS: On February 28th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.
BIRTHS: On February 29th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.

DEATHS: On February 26th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.
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DEATHS: On February 29th at the Portland Hospital, to John and Sarah, a son, Michael, a brother for Emily, Megan and Patrick.

FUNERAL ARRANGEMENTS: The funeral of the late Mrs. Mary Jane Smith, nee Jones, will be held at 11.00 am on Friday, March 6th, at St. Mary's Church, St. Mary's, London.
THANKSGIVING SERVICES: A Thanksgiving Service will be held at 7.00 pm on Friday, March 6th, at St. Mary's Church, St. Mary's, London.
IN MEMORIAM PRIVATE: In loving memory of my dear mother, Mrs. Mary Jane Smith, who passed away on February 26th, 1998.

WANTED: I am looking for a person who has information regarding the disappearance of my father, Mr. John Smith, in 1945.
TICKETS FOR SALE: I have a large stock of tickets for the upcoming season at the Royal Opera House.
ALL TICKETS! SCOTLAND V ENGLAND: I have a large stock of tickets for the upcoming season at the Royal Opera House.
OVERSEAS TRAVEL: I offer a wide range of travel services, including flights, hotels, and car hire.
WINTER SPORTS: I offer a wide range of winter sports equipment and services.
FLATSHARE: I have a flat available for rent in a central location.
FOR SALE: I have a large stock of furniture and home appliances for sale.

Handwritten signatures and notes at the bottom of the page, including a large signature in the center and smaller ones on the right side.

OBITUARIES

PETER LIVESEY

Peter Livesey, rock climber, died of cancer on February 26 aged 54. He was born in Huddersfield on September 12, 1943.

One of Britain's outstanding rock climbers, Peter Livesey was the "father" of modern, athletic climbing technique, which inspired a generation of younger climbers. He also pioneered many new rock climbing routes, not only in this country but in Europe and America. He was fiercely competitive, yet his was a relaxed approach. Livesey loved rock, and wrote two books on rock-climbing



technique. But he could never muster the same enthusiasm for snow and ice.

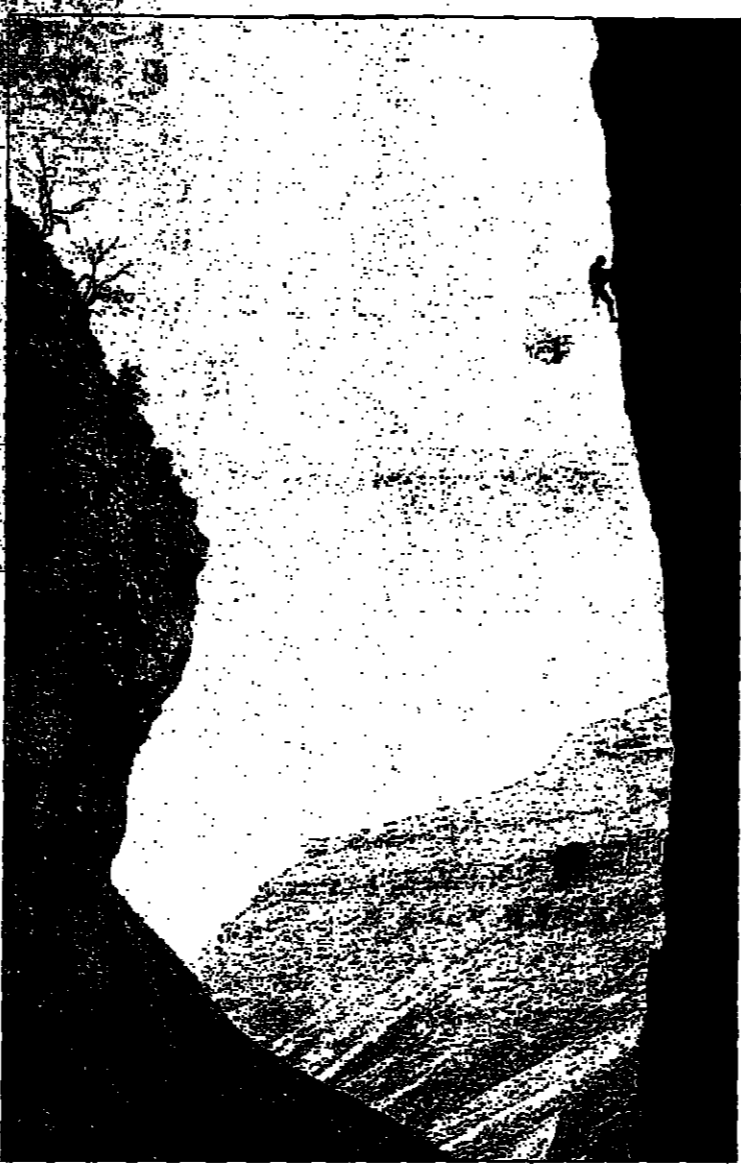
A natural athlete who at school became a junior cross country champion, Michael Peter Livesey began climbing at the age of 12 on gritstone cliffs around his Yorkshire home. But climbing was not at first a single-minded passion with him. He enjoyed the competition of athletics, too, running in the same club as the former world mile record-holder Derek Robson. He himself ran the mile in a time not far short of four minutes as a junior. Indeed, he used to say that it was his failure to win the AAA Steeplechase at White City — where he came third — that had

prompted him to channel his energies into other sporting activities. At first these took the form of caving and cave diving, where soon he was performing with the best of his day. Extending underground explorations in Yorkshire and further afield. The year 1965 brought seven months of expeditionary caving in Jamaica, surveying great river caves for a millionaire plantation owner. He also took part in an expedition to the Abyss of Provatna and to the Epos Chasm (which he discovered), both in Greece, and to Ghair Paru in Iran.

By this time Livesey had given up a career in electrical engineering to become a teacher of outdoor pursuits, where his first position was at the Bowerley Park Centre in the West Riding of Yorkshire. He concentrated on whitewater canoeing, before renewing his loyalty to climbing, which he had never abandoned completely. By now in his late twenties, he was supremely fit and prepared to tailor a rigorous training schedule to the specific problems presented by hard rock.

Traditionally, climbers had maintained that the only way to get into shape for climbing was to climb, with any time not spent on the crag passed convivially in the nearest pub. But Livesey, with his athletic background, began to develop a systematic training regime intended to raise aerobic efficiency and enhance strength and endurance. At the same time he worked on his psychological approach and decision-making under stress. "His results were so good," remembers Ron Fawcett, one of those who came early under the Livesey influence, "that we can't now imagine why the climbers of the 1950s and 1960s boasted that their only training was 40 Woodbines a day and a good spit."

Tall and rangy, yet with powerful shoulders, Livesey possessed what many consider the ideal physique for rock climbing. He had a long reach and manual agility. His relentless training had given him phenomenal finger power. This was sufficient, in his words, "not just to climb the route, but to hang around long enough to select and place running belays for protection, and then still have the strength to go on climbing". When he said, "hang around", he



Livesey on the very tough overhanging West Wall of Goredale Scar in the Yorkshire Dales

meant it literally, from one arm alone, if that was called for. From his example other climbers began to develop the similar acrobatics of the modern rock climber.

His caving colleagues had already remarked upon his cool nerve. In climbing, this manifested itself in an almost cavalier attitude towards protection. He wanted to climb under his

own skill and many of his early routes were climbed solo, without equipment at all. He also embarked on a programme of freeing existing hard routes of the aid (in the form of pitons left in the rock for subsequent climbers) which had been employed in their original ascents. When he, with his regular climbing partner John Sheard, after inspecting the

difficulties on a top-rope, dispensed with the last points of such aid on Face Route on Goredale Scar, traditional Yorkshire mountaineers could not believe it.

The ill-feeling left by his doubters made Livesey a stickler for absolute truth in describing his achievements, or challenging the false claims of others.

He was at the height of his powers in 1974 when he established two routes that took climbing into the new "E5" grade. (When he had started climbing seriously only a few years before, at the beginning of the 1970s, no climb exceeded E2 in difficulty.) Of these two routes, Footless Crow, in Borrowdale, far exceeded anything existing then in the Lake District; Right Wall on Dnas Cromlech in North Wales was considered by Livesey at that time as "the biggest and most glaring example of virgin rock in Wales". In all, Livesey made between 30 and 40 important first ascents in Britain. He also climbed in Norway, the Alps, Iran, Baifin Island, and made several visits to the Mecca of big wall climbing, Yosemite National Park in California, where he was responsible for many new routes.

Livesey's importance, however, does not rest solely in his legacy of new routes, but as instigator of a new wave of athleticism, and a change of attitude towards hard rock climbing. Not just in Britain, but in France, too, his influence was widely felt. The guidebook he wrote, French Rock Climbs (1980) was instrumental in luring many other young climbers to the sun-washed South, rather than the high Alps.

He had also written an instructional book for beginners, Rock Climbing (1978), now in its (revised) second edition. His many other writings are scattered through the sports journals and anthologies.

Although he gave up climbing at the competitive sharp edge in the mid-1970s when he was over 30, Livesey remained active, with his caving, orienteering, fell running and some rock climbing. He did all these until his final illness, which struck within days of his retirement from his final teaching post at Bradford and Illay College.

He is survived by his wife Soma and by their daughter.

RICHARD CASSILLY

Richard Cassilly, American tenor, died on January 30 aged 70. He was born in Washington on December 14, 1927.

RICHARD CASSILLY was one of a group of American tenors born during the mid-1920s whose powerful physique and vocal stamina immediately stamped them as operatic heroes, especially in the German repertoire. Jess Thomas and James King were his immediate rivals. Thomas had the Hollywood good looks and King the more glowing voice. But Richard Cassilly was the best actor of the three and the most committed on stage.

His timbre could at times be raw and his throat did not always do precisely what he wanted it to do. But Cassilly made up for this by using every inch of his very considerable stage presence and submerging himself completely in whatever character he was playing. In this latter respect he had much in common with another rival, the Canadian-born Ian Vickers, and the repertoire of the two men overlapped a good deal.

Cassilly was educated in Baltimore. He made his stage debut in the Broadway production of Gian Carlo Menotti's opera The Saint of Bleeker Street when he was 27. He had appearances with the New York City Opera, in Tchaikovsky's early work Vakula the Smith, and with the Chicago Lyric Opera, in Janacek's Jenůfa. But he realised, in common with several of his compatriots, that the real opportunities in the 1960s were in Europe. The opera houses there were generally well subsidised and there were plenty of them. All were on the lookout for powerful heroic tenors who could hold the stage.

He made his European debut in 1965 in Geneva in the title role of the Dostoevsky-based Raskolnikov by the Swiss composer Heinrich Sutermeister. This led to an immediate engagement by the Hamburg State Opera, the house with which he became principally associated. His debut there was as Canio in Pagliacci. He arrived at Covent Garden at the beginning of 1968, making his debut as in Chicago as Laca in Janacek's Jenůfa.

He was back that summer

with a part that put his stamina and acting ability under rather severe test. Verdi's Otello. So began an association with the house which lasted throughout the 1970s.

During that decade Cassilly missed only one season. The Royal Opera looked to him for what was loosely known as the Vickers repertory: apart from Otello there was Florestan in Fidelio, Aeneas in Berlioz's The Trojans, and the title role in Britten's Peter Grimes. William Walton chose him as Troilus when he revised Troilus and Cressida in 1976 and this he recorded with the Opera House orchestra under Lawrence Foster, with Janet Baker as Cressida.

Among his other recordings was Aaron in Schoenberg's Moses and Aron, conducted by Pierre Boulez, which he had sung in Hamburg. But Cassilly's tenor, with its tendency to occasional roughness, was not really one for the studios. The physical presence was needed to back it up.

In London he was chiefly known as a Wagner singer, ready to take on the most taxing parts such as Tannhäuser, which he sang with great lucidity and conviction. Siegmund in Walküre was another favourite role, the one he sang more often than any other at the Garden and the one in which he made his final appearance there in November 1982.

Scotland heard him quite early in his European career when he played Peter Grimes in a production by Scottish Opera in 1968, which went to the Edinburgh Festival. Many years later he came to the rescue of the same company when he stepped in at short notice to replace an ailing colleague as Jimmy Mahoney in the Brecht-Weill Rise and Fall of the City of Mahanagar.

His Met debut came in 1973 as Radames in Aida. There he played a number of flawed or wounded heroes of the heavy-weight variety, including Samson, Otello and Tristan, as well as Tannhäuser, the role other tenors did their best to avoid. Cassilly had strength and power. And he was never afraid of a challenge.

His marriage to Helen Koliopoulos was dissolved in 1985. He is survived by his second wife, Patricia Craig, and the four sons and three daughters of his first marriage.



Richard Cassilly in the title role in the Royal Opera House production of Verdi's Otello in 1968

PROFESSOR JACK AITKEN

Professor Jack Aitken, lexicographer, died on February 11 aged 76. He was born on June 19, 1921.



AN authority on the origins of the Scots language and its dialects, Jack Aitken published extensively on vocabulary, grammar and pronunciation. As the second editor of The Dictionary of the Older Scottish Tongue, he established the Older Scottish Textual Archive, running to more than a million words.

He also instigated a new reading programme of ancient manuscripts and historic papers, so increasing the reach and accuracy of the dictionary, which is to be dedicated to him when it is completed in the year 2000.

Aitken was one of a long series of important Scottish lexicographers. This was a

line which had begun with Andrew Duncan and Sir John Skene at the turn of the 16th and 17th centuries.

Then, in 1710, the philologist Thomas Ruddiman appended a 3,000-word glossary to Gavin Douglas's translation of the Aeneid, advancing the study of Scots considerably, thanks to his awareness of regional and historical differences in usage and his employment of textual references. Dr Johnson was so impressed by Ruddiman's work that he presented him with a set of The Rambler.

The first full dictionary of the Scottish language was published in 1808-25 by the Rev John Jamieson, whose method was influenced by the later editors of Johnson's Dictionary. Then Scotland provided the greatest lexicographer of all, James

Murray, who included a great deal of Scots material in what became the OED.

In 1919 Sir William Craigie, a joint editor of the OED, proposed a series of period dictionaries of English, to include the period of Scots as a national language up to 1700, and modern Scots from then onwards.

This led to publication of The Scottish National Dictionary, completed in 1976 in ten volumes with a supplement, and to The Dictionary of the Older Scottish Tongue, edited at first by Craigie, from whom Aitken took over.

The dictionary of the earlier period, using a text base of some 200 million words, was undoubtedly the more difficult of the two to compile. The SND records only distinctively Scottish words, whereas the OED includes English words in use in Scotland. The earlier records, too, are more complex, because of greater variations in dialect and orthography. Meanings proliferate remarkably. The word "lord", for example, is shown to have had 34 senses.

Adam Jack Aitken was educated in a mining village, Lasswade, outside Edinburgh, and went on to study at Edinburgh University in 1939. From 1941 to 1946 he served in the Royal Artillery, but after the war he returned to the university, taking a first-class degree in English in 1947.

He had already done much research into the origins of the Scottish and Celtic languages, and this he furthered through research fellowships at his own university and in Glasgow and Aberdeen. He continued to do research and to teach until 1975.

From the early 1950s he was gathering and editing material for Craigie, and acting as an assistant. Craigie handed the

whole project over to him in 1955 and Aitken, who had a passion for system and order, immediately set about updating the filing and cataloguing. The dictionary has proved a massive undertaking, and in other hands it might have faltered. Aitken, however, saw to it that it should be an invaluable source for research into Scottish culture, law, literature and history, as well as language. Seven volumes have so far been published (by Oxford University Press) and four more are in preparation.

Aitken also served on many councils and committees concerned with lexicography and Scottish literary studies, and from 1964 he was an adviser to dictionary projects as far away as India.

He assisted with the planning of The Concise Scots Dictionary, and was a consultant to both Collins English Dictionary (1972-73) and Chambers Twentieth Century Dictionary (1973-77).

In 1983 he was awarded a D Litt by Edinburgh University, and two years later he was appointed an honorary professor. In 1987 his friends presented him with a festschrift, Nutts Schell: Essays on the Scots Language.

Jack Aitken was one of the kindest of men, with a firm and engaging sense of humour that made him an excellent company. Despite major heart surgery, he never stinted his research and writing, and went on giving help to all inquirers. He was planning a collection of the essays of the editor of The Scottish National Dictionary, David Mursion, who died last year, and had recently thought of collecting his own scattered writings.

He is survived by his wife, Chandra, and their daughter and three sons.

PERSONAL COLUMN

Advertisement for personal services including flight directories, fare savers, legal notices, and court & social services.

Advertisement for 'HAMLET' AT THE LYCEUM THEATRE, featuring a notice about the production and contact information.

Advertisement for 'ON THIS DAY' featuring a notice about a performance on March 3, 1900.

Full guide to players in both ITF leagues

As the ITF FA Cup league reaches the sixth round stage, tactics for team selection remain a challenge

With hindsight it was all so obvious: Manchester United were concentrating on the FA Cup Premier League and European glory. Liverpool were ripe for the plucking. Chelsea were too inconsistent. Everton too unpredictable. Blackburn too accident-prone.

Naturally, West Ham, Leeds and Coventry, upwardly mobile but not quite ready for a tilt at the title, would be there. Oh yes, and Arsenal.

In Scotland, Celtic, Rangers and Hearts are all capable of sustaining a campaign on two fronts; everybody knows that. Hence the current situation in the cups in England and Scotland: the favourites all still there north of the border, but nowhere to be seen south of Hadrian's Wall. That could, of course, be the fault of the bookmakers who failed to take note of the makeup of Alex Ferguson's FA Cup selections.

Nevejan, Clegg and Thornley may well grace Wembley some day, but not on May 16 this year.

Any ITF entrant whose foresight enabled them to pick a team which has not yet required any adjustment through the transfer market is to be congratulated, the more so bearing in mind that injuries and suspensions have begun to bite in earnest in most of the top squads. In theory, of course, it would be



possible to keep an unchanged team throughout, although even the best-chosen twelve would only have eight representatives in action at the death, when the last four teams contest the two finals.

With the quarter-finals being played this coming

weekend, what would have been the perfect squad to pick on January 1? Not, perhaps, the one with the highest scores at the moment. Dunfermline's Andy Smith, whose goals against Edinburgh City helped him to an FA Cup score of 27 points, the highest individual total, and the Aston Villa pair of Mark Bosnich and Simon Grayson, the top scoring goalkeeper and full-back respectively, are all out of the competition, as is Bruce Dyer, hat-trick man against Leicester in round four and the scorer of 22 points, the best return among designated forwards.

Instead, we have chosen a select XII of the highest-scoring players remaining in the two competitions, with all transfers still available. The requirements of ITF, that no more than two squad members shall come from any one club, mean that Neil Redfern, the Barnsley captain, cannot be accommodated in midfield (Watson and Barnard represent the Oakwell success story) and that Arsene Wenger is preferred to Danny Wilson as manager. Arsenal and Barnsley have, of course, fought through two replays each to get where they are today, giving their managers two more points each than those who reached this stage with three straight victories.

NICK SZCZEPANIK



Hasselbaink: 14 FA Cup points in the competition and a place in the top ITF team

THIS WEEK'S MOVES

#	Player	From	To	Value
41406	Donald Hutchison	Everton		£2.0m
50706	Harald Bettbein	Celtic		£6.0m
60302	John Gregory	Aston Villa		£1.5m

OUT

40703	Brian Little	Aston Villa		£1.5m
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MOVE

21402	Earl Barrett	Sheffield Wednesday		£1.5m
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transferred from Everton

HOW TO MAKE A TRANSFER

YOU MAY transfer as and when you wish according to your team transfer allowance. If a player or manager moves teams during the season, it may affect the composition of your team. You may adjust your team by using the transfer system to avoid missing out on points.

EACH TEAM that was entered at the start of the season was allocated 60 transfers for the season and each team registering after that date had its number of transfers reduced by three per week up to December 13. Teams registered before noon that day were allocated an extra 20 transfers. Teams registered since then and from now on will be allocated 20 transfers for the rest of the season.

THE LINE is open now and will remain open for the rest of the season. You may only make transfers by using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone). You will need ten digits for your PIN which you will have to tap in (not speak). Follow the simple instructions and tap in the five-digit codes of the players that you are transferring.

YOU MAY make up to four transfers per call but may make as many calls as you wish to achieve the required amount of transfers.

TRANSFERS made before 12 noon on any day will become effective for matches starting after that time. Transfers made after 12 noon will become effective for matches starting after 12 noon the following day.

YOUR NEW player only starts to score points for you when his transfer is registered. The current score of the player transferred out remains part of your team score but he then ceases to score for you.

CALLS COST 50p per minute and calls from a telephone box cost approximately twice as much.

Transfer number: 0891 884 628.
Outside the UK: +44 990 200 538.

Code	Name	Team	P	F	FA	FA Lg	Tot
10101	J Leighton	Aberdeen	1.50	0	2	2	30
10201	D Seaman	Arsenal	5.00	0	13	0	70
10301	M Boehlich	Aston Villa	3.00	0	18	2	64
10401	D Watson	Barnsley	1.00	1	16	4	12
10501	T Flowers	Blackburn	4.00	0	9	0	55
10601	K Branagan	Bolton	1.50	0	0	2	39
10701	S Kerr	Celtic	4.00	0	0	0	0
10702	J Gould	Celtic	4.00	0	11	11	88
10801	E De Goeyz	Chelsea	3.00	0	9	0	84
10901	S Coventry	Coventry City	1.50	0	0	0	17
11001	C Nash	C Palace	0.25	0	0	0	0
11002	K Miller	C Palace	2.50	0	23	5	49
11101	M Poom	Derby County	2.00	0	9	8	81
11201	N Dykstra	Dunfermline	2.00	0	11	4	38
11301	N Southall	Everton	2.00	0	0	0	3
11402	T Myhre	Everton	2.00	0	0	9	3
11501	G Rousseau	Hearts	3.50	0	8	0	54
11601	C Reid	Hibernian	1.50	0	0	0	8
11602	O Gostallak'n	Hibernian	1.50	0	0	0	1
11702	G Marshall	Kilmarnock	1.50	0	1	9	1
11801	N Martyn	Leeds Utd	3.50	0	11	2	89
11901	K Keller	Leicester City	3.00	0	3	2	70
12001	D James	Liverpool	4.00	0	5	2	77
12101	P Schumacher	Man Utd	5.00	0	1	3	127
12201	S Howie	Motherwell	1.00	0	0	0	0
12301	S Given	Newcastle	3.00	0	8	7	38
12401	A Goram	Rangers	5.00	0	8	1	52
12501	K Pressman	Sheffield Wed	2.00	0	5	5	11
12702	R Jones	Southampton	2.00	0	0	8	40
12801	A Main	St Johnstone	0.50	0	11	2	62
12801	L Walker	Tottenham	2.50	0	3	0	22
12901	W Mido	West Ham	2.00	0	0	0	4
13001	N Sullivan	Wimbledon	2.50	0	15	3	82

Code	Name	Team	P	F	FA	FA Lg	Tot
30101	B O'Neill	Aberdeen	2.00	0	1	2	0
30201	T Adams	Arsenal	3.00	1	2	1	28
30202	M Keown	Arsenal	3.00	0	5	0	12
30303	G Girvan	Arsenal	2.00	0	10	0	39
30304	P Williams	Arsenal	3.00	0	7	0	27
30301	G Southgate	Aston Villa	3.00	0	4	1	19
30302	U Ehlug	Aston Villa	3.00	0	7	1	29
30401	A De Zeuw	Barnsley	1.00	0	5	0	13
30402	A Moses	Barnsley	0.50	0	6	1	15
30403	M Appleby	Barnsley	0.50	1	1	1	9
30502	C Hendry	Blackburn	3.00	0	4	3	40
30503	S Henchoz	Blackburn	3.00	1	3	1	32
30504	T Pedersen	Blackburn	2.00	0	0	0	2
30601	G Taggart	Bolton	1.50	0	0	0	0
30602	G Bergsson	Bolton	1.00	0	0	0	19
30603	C Fairclough	Bolton	1.00	0	0	1	10
30604	M Fish	Bolton	1.50	0	0	0	0
30701	E Aronov	Celtic	1.50	0	1	0	20
30702	M Mackay	Celtic	3.00	0	0	1	3
30703	A Stubbs	Celtic	3.00	0	5	5	64
30704	M Rieper	Celtic	3.00	0	6	10	54
30801	F Leboeuf	Chelsea	3.00	0	5	1	34
30802	M Duberry	Chelsea	3.00	0	4	0	19
30803	S Clarke	Chelsea	2.50	0	4	0	12
30804	B Lambourde	Chelsea	2.50	0	0	0	3
30901	L Delsch	Coventry City	1.50	0	0	0	0
30902	R Shaw	Coventry City	1.50	0	8	0	25
30903	D Williamson	Coventry City	1.50	0	0	0	11
31001	A Roberts	C Palace	1.50	1	13	3	19
31002	A Linighan	C Palace	0.75	0	10	0	13
31003	D Tuttle	C Palace	0.75	0	0	0	0
31004	H Hredkarsson	C Palace	1.00	1	13	4	2
31101	J Stimp	Derby County	2.50	0	4	4	34
31102	J Laurson	Derby County	1.50	0	1	5	24
31201	S Pressley	Dunfermline	2.00	0	3	0	19
31301	G Shields	Dunfermline	1.50	0	1	4	10
31401	S Blicic	Everton	1.50	0	0	4	15
31402	D Watson	Everton	1.50	0	0	0	11
31403	C Clark	Everton	1.50	0	0	14	14
31501	D Weir	Hearts	3.00	0	14	0	38
31601	J Hughes	Hibernian	2.00	0	0	4	11
31801	D Wetherall	Leeds Utd	2.50	0	10	0	45
31802	G Hufe	Leeds Utd	2.00	0	5	0	23
31803	R Molenaar	Leeds Utd	2.00	0	14	0	28
31804	L Radde	Leeds Utd	2.00	0	9	0	27
31901	M Elliott	Leicester City	3.50	0	3	5	59
31902	P Kaarmark	Leicester City	2.00	0	3	0	52
31903	S Walsh	Leicester City	2.50	0	2	4	32
31904	R Wright	Leicester City	2.00	0	5	1	21
32001	M Wright	Liverpool	3.00	0	0	0	5
32002	D Matteo	Liverpool	3.00	0	2	0	35
32003	B Kywarre	Liverpool	3.00	0	1	0	29
32004	P Babb	Liverpool	3.00	0	0	0	2
32051	H Berg	Man Utd	3.50	0	1	2	45
32101	D May	Man Utd	3.50	3	3	3	33
32102	G Pallister	Man Utd	3.50	3	4	2	51
32201	Albert	Newcastle	2.50	0	1	4	10
32202	D Pople	Newcastle	3.00	0	4	0	10
32203	S Howey	Newcastle	2.00	0	6	4	18
32304	A Pistone	Newcastle	3.00	0	8	0	23
32401	S Porrini	Rangers	3.50	0	1	2	43
32402	J Bjorklund	Rangers	3.50	0	4	1	40
32403	L Amoroso	Rangers	3.50	0	0	0	0
32404	R Gough	Rangers	4.00	0	8	3	14
32501	D Walker	Sheffield Wed	2.00	0	3	2	13
32502	J Newcome	Sheffield Wed	2.00	0	3	2	13
32503	P Atherton	Sheffield Wed	2.00	0	3	3	10
32701	R Dryden	Southampton	1.00	0	0	5	8
32702	C Lundekvam	Southampton	1.50	0	0	2	16
32704	K Monkou	Southampton	1.50	0	1	0	15
32801	S McCluskey	St Johnstone	0.50	0	0	0	0
32801	S Campbell	Tottenham	2.00	0	3	5	18
32802	J Scates	Tottenham	1.50	0	2	0	7
32803	R Vega	Tottenham	1.50	0	4	5	21
32901	C Carterwood	Tottenham	1.50	0	1	1	16
32902	R Ferdinand	West Ham	2.50	1	1	1	16
32902	R Hall	West Ham	2.00	0	0	0	0
31403	D Hull	West Ham	2.00	0	2	0	16
32903	S Potts	West Ham	1.50	0	1	0	9
32904	I Pearce	West Ham	2.00	1	2	1	11
33001	C Perry	Wimbledon	2.50	1	8	2	29
33002	D Blackwell	Wimbledon	2.50	1	3	2	25

Code	Name	Team	P	F	FA	FA Lg	Tot
40605	J Pollock	Bolton	2.00	0	1	1	37
40702	P O'Donnell	Celtic	3.00	0	0	5	12
42503	R Bliniker	Celtic	3.00	0	2	0	24
40704	C Burtie	Celtic	4.00	0	5	5	74
40705	P Lambert	Celtic	3.00	0	5	5	40
40801	D Wise	Chelsea	3.50	0	0	0	38
40802	R Di Matteo	Chelsea	4.00	0	0	1	41
40803	E Newton	Chelsea	1.50	0	0	0	13
40804	G Poyet	Chelsea	3.00	0	0	0	28
40901	G McAllister	Coventry City	2.50	0	0	0	20
40902	T Soltvedt	Coventry City	1.50	0	5	3	41
40903	J Salako	Coventry City	1.50	0	0	0	15
40904	P Telfer	Coventry City	1.50	0	7	5	31
40905	G Boeteng	Coventry City	1.50	0	2	2	10
41002	S Hodgson	C Palace	1.00	1	6	2	34
41003	D Pletcher	C Palace	0.25	0	0	0	0
41004	P Warhurst	C Palace	1.50	0	3	0	34
41005	A Lombardo	C Palace	3.00	0	0	0	22
41102	S Eranio	Derby County	3.50	0	1	3	38
41103	D Powell	Derby County	1.50	0	3	3	20
41104	C Dally	Derby County	1.50	0	0	2	25
41105	R Van Der Laan	Derby County	1.00	0	0	0	8
41106	J Hunt	Derby County	1.00	0	0	0	17
41201	R Winters	Dunfermline	3.50	0	8	5	61
41301	A Smith	Dunfermline	3.50	0	27	1	83
41402	J Parkinson	Everton	1.50	0	0	0	0
41403	G Farrelly	Everton	2.00	0	0	0	20
41404	D Williamson	Everton	2.00	0	0	0	19
41405	J Ostar	Everton	2.50	0	1	1	7
41501	N McCann	Hearts	3.50	0	5	9	75
41601	C Jackson	Hibernian	2.00	0	1	0	12
41602	B Lavety	Hibernian	2.00	0	0	0	28
41701	J McIntyre	Kilmarnock	2.00	0	0	3	5
41801	D Hopkin	Leeds Utd	3.00	0	2	1	36
41801	L Bowyer	Leeds Utd	3.00	0	8	0	26
41802	A Hasland	Leeds Utd	3.00	0	1	0	35
41803	L Sharpe	Leeds Utd	2.50	0	0	0	0
41804	B Ribeiro	Leeds Utd	2.50	0	4	1	24
41901	G Parkes	Leicester City	2.00	0	7	0	32
41902	N Lannon	Leicester City	2.00	0	3	1	51
41903	M Izzet	Leicester City	2.00	0	2	4	55

NEWS

Harrods boss arrested

Mohamed al Fayed was arrested yesterday over allegations that Harrods employees broke into a safe deposit box owned by his business rival Tiny Rowland.

Mr Fayed, who went voluntarily to Kennington police station, was questioned in the presence of his solicitor for 60 minutes. He was released on bail and ordered to return to the station in June. The Harrods director of security, a former fraud squad chief superintendent, was also arrested. Page 1

Princess of Wales left £13m to sons

Diana, Princess of Wales, left nearly £13 million to her sons Prince William and Prince Harry, her will discloses. She also asked to be buried and that the Prince of Wales should consult her mother, Frances Shand Kydd, on the upbringing, education and welfare of the young Princes. Pages 1, 4, 21

Government defeats

The Government was defeated twice when peers debating the Teaching and Higher Education Bill backed a Tory move to halt the abolition of state maintenance grants for students. Page 1

Hunting ban recedes

Tony Blair dampened prospects for an early ban on hunting as pressure grew for an independent inquiry into the issue. Kate Hoey, a senior Labour MP, said she was "seeking a middle way". Page 1

Railtrack warned

Railtrack has been warned by safety inspectors that it will face criminal prosecutions unless it takes drastic action to improve the "persistent poor condition" of Britain's railway tracks. Page 2

Hammer killer jailed

A millionaire doctor who beat his estranged wife to death with a club hammer after rows over his meanness was jailed for six years. Page 3

Novel approach

Four graduates of the MA course in novel-writing at Manchester University have had a first novel or book of short stories accepted for publication. Page 6

Counting the notes

English National Opera musicians may be paid in 15-minute units. Violinists would prosper but percussionists and brass players fear pay cuts. Page 9

Mapplethorpe book confiscated

Police who confiscated a book on the photographer Robert Mapplethorpe from the University of Central England's library want to destroy it on grounds of obscenity. They raided the Birmingham flat of an art student after she had taken photographs of the book to be developed by a local chemist to use in a thesis, "Fine Art versus Pornography". Page 1

Egyptian mystery

Police are investigating the disappearance of Egyptian antiquities from Chiddingfold Castle, Kent. The pieces went missing in 1961 and were later sold by Sotheby's to foreign dealers. Page 11

Kohl's challenger

The German Social Democrats confirmed that Gerhard Schröder, re-elected on Sunday as Prime Minister of Lower Saxony, would be their challenger to Chancellor Kohl. Pages 12, 20

Iran assurance

The Italian Foreign Minister used a visit to Tehran to exonerate Iran from "any association with terrorism", and said the country's arms build-up offered "no cause for alarm". Page 14

Kosovo clash

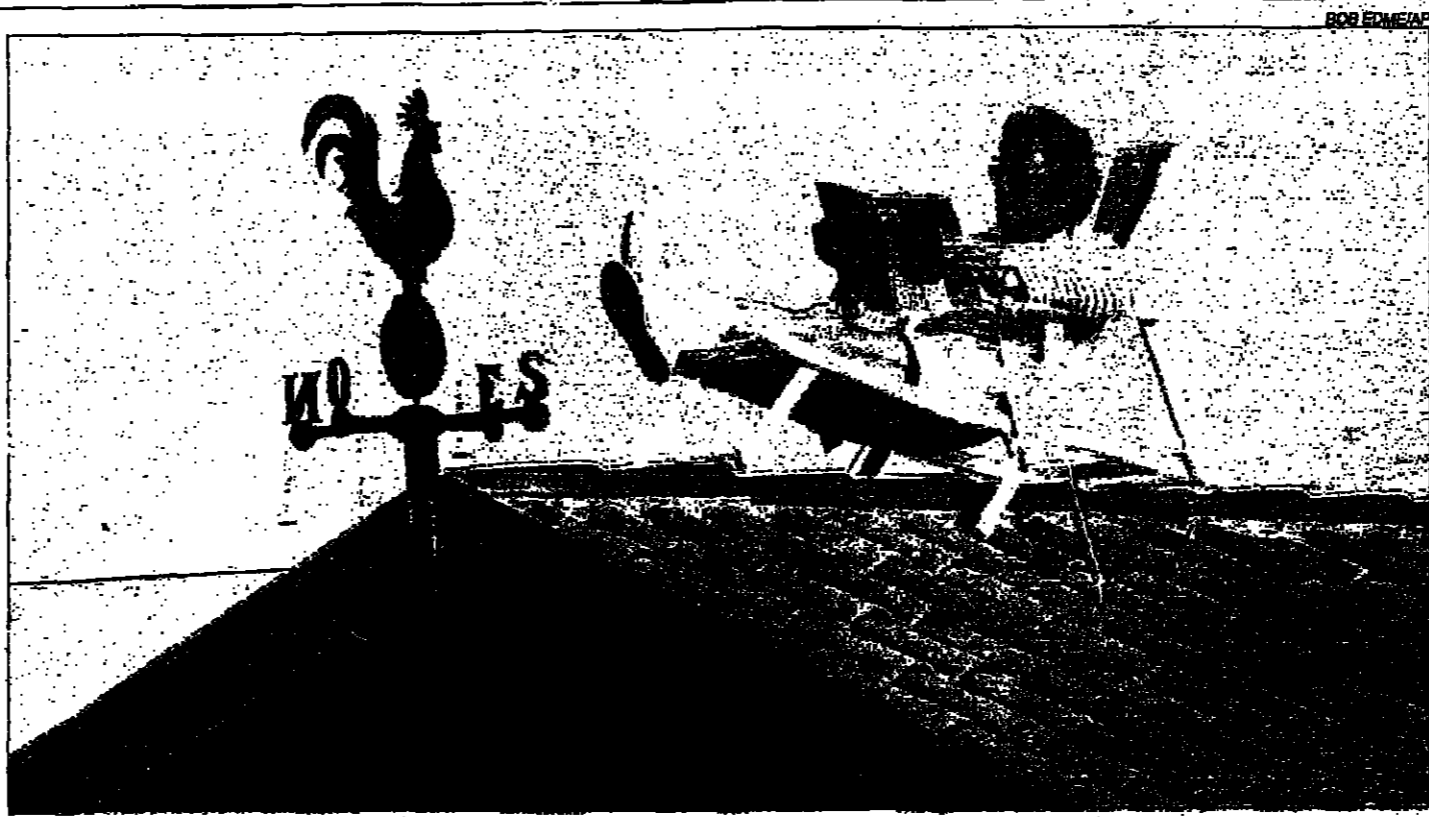
Serb riot police attacked 50,000 Albanians marching in Pristina, capital of Kosovo. Television reported one demonstrator shot dead and 150 injured. Page 15

Reagan's torment

When Ronald Reagan was shot two months after taking office his eight-year presidency became a private chronicle of mental and physical deterioration. Page 16

Gulf War hazard

A private American report on Gulf War syndrome says 400,000 American and coalition troops may have been exposed to depleted uranium. Page 17



Parisian Olivier de Cornois enjoying temperatures of 21C (70F) yesterday on the roof of his holiday home in Bidart, near Biarritz

BUSINESS

Power battle: PacifiCorp, the US energy utility, fought back in the battle for The Energy Group with an 820p a share, £4.35 billion bid. Page 27

BTP: Ian Strachan, BTP chief executive, breathed a little life back into the conglomerate's shares when he announced the return of £2 billion to investors. Page 27

Inchcape: The conglomerate is to concentrate on motor dealing by spinning off its marketing services and bottling business and selling its shipping agencies. Page 27

Markets: The FTSE 100 rose 53.3 points to close at 5820.6. Sterling's trade-weighted index remained unchanged at 105.1 after a rise from \$1.6457 to \$1.6479 but a fall from DM2.9873 to DM2.9863. Page 30

SPORT

Cricket: England were heading for defeat in the fourth Test after an early collapse in their second innings. Page 52

Football: Terry Venables will decide within seven days whether to return to Crystal Palace as coach after being offered a five-year contract. Page 48

Rugby union: Northampton and Saracens will discuss with their players the advisability of missing the summer tours to the southern hemisphere scheduled by all four home unions. Page 49

Ice skating: Great Britain will not be represented in the women's event at the world championships in Minneapolis, the first time for more than 50 years at a senior competition. Page 50

ARTS

King of Soho: After the death of his friend Ronnie Scott, the famous jazz club's proprietor Pete King is finding new ways to put the buzz back into the venue. Page 36

Hello Havana: The Club Tropicana from Cuba, which was a byword in the Forties and Fifties for exotic glamour, is bringing its cheeky and seductive Latin rhythms to the Albert Hall. Page 36

New for old: In his seventies the sculptor Anthony Caro is finding new inspiration in the paintings of the old masters, as two new shows in London demonstrate. Page 37

Countdown: Birmingham has reached the Seventies in its 'Towards the Millennium' festival, and its ballet company and orchestra join the celebrations. Page 38

FEATURES

Fighting anorexia: At five, Marya Hornbacher held in her stomach. By 18, she weighed 52lb and was given a week to live. At 23 she is recovering and has written movingly about her struggle. Page 18

A woman's revenge: How to take revenge without losing one's dignity... Grace Bradberry hails the woman who got her revenge on the husband who ran off with Anthea Turner. Page 19

Last Ideas: Why is every traveller's right to a tender send-off on the platform under threat? Jane Shilling investigates. Page 19

Angelic behaviour: A belief in "angels" is fashionable again as banks help businesses to find equity funding. Page 35

Peter Riddell: Military action against Iraq has been postponed, not abandoned. The Baghdad agreements of a week ago offers a respite, but probably no more. Page 11

Peter Livesey, climber, Richard Cassidy, tenor, Professor Jack Aiken, lexicographer. Page 22

Company mergers; Millennium Dome; countryside march; hip joint problems; Royal wills; the Lord's Prayer. Page 21

The Washington Post

TOMORROW

IN THE TIMES

INTERFACE: Surfing towards breakfast TV: how the Internet helps

HOMES: Film-makers are always searching for homes with star quality. Is it worth inviting them in?



THE TIMES CROSSWORD NO 20,729

A crossword puzzle grid with numbers 1 through 26. The grid is partially filled with letters, and some cells are empty. The puzzle is titled 'THE TIMES CROSSWORD NO 20,729'.

- ACROSS
1 Conrades Portia and Nerissa did in court (11).
2 Half hidden bend (5).
9 Leaving in confusion without sailor being fit for sailing (9).
10 Artist or writer (5).
11 Support for comfortable retirement (7).
12 Like leaves making a drink in China (7).
13 House rose? (5).
15 Unusually safe in our base (9).
17 I haven't a pound change for bank by Hobbes (9).
19 Entertaining American serving edible plants (5).
20 Try to cool a movement out of control and extreme (7).
22 Attention given to book set aside (7).
24 Secretly go and form union (5).
25 You know in your bones if his treatment works (9).
27 Morse's unit I must have in the other case (5).
28 She barely finishes her turn (11).
DOWN
1 Humour from North Riding taking the wrong way (5).
2 Shoemaker's apparatus found in Roman villa (5).
3 Hurricane, perhaps, the source of heavy blows (7).
4 Hearing organ, partly, in complicated passages (9).
5 Having advantage as solo flier? (5-2).
6 Dreadful person that goes around cadging, ultimately (7).
7 A bit of wind in the mountains (9).
8 Light carrier for journey to Babylon? (11).
11 Scene of conflict (not necessarily Hastings) (11).
14 English desk Americans sit on (9).
16 Extreme source of identification (9).
18 Felicity gets odd pat on head (7).
19 Drunk advanced in time (3,4).
21 Musical group in paper reported (5).
23 First lady's partner's President of United States (5).
24 Objective of Haggard's heroine (3).

PLAYSCHOOL GRIP
O G E O U O E A
P R E S A N T T A B U L A R
U F T S E T
P H E N O M E N A E N T E R
F E S L E R I
C A N A L T E L E V I S E D
A O E A N G
F A N T A S T I C T H R I L E
E R O O I W
M A I N R E S P O N D E D
E A I P T N R R
R O M A N C E I N C L I N E
I P G N A F A
A P S I E S O N G W R I T E R

AA INFORMATION

Lowest Road and Weather conditions
UK Weather - All regions 0330 444 810
UK Results - All regions 0330 401 910
Roads P25 0330 401 910
P25 and Low Roads 0330 401 910
National Motorways 0330 401 910
Continental Europe 0330 401 910
Channel crossing 0330 401 910
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World City Weather
127 destinations world wide
by Fax (india page) 0330 41212
by Fax (india page) 0330 41212

Motorway
Europe Country by Country 0330 401 999
France Motorways 0330 401 887
Germany Motorways 0330 401 887
Denmark Road 0330 401 887
Lowland Road 0330 401 887

Car reports by fax
0330 410 299
Call our charged at 50p per minute or 10p.

HOURS OF DARKNESS
Sun rises: 5.42 am
Sun sets: 6.42 pm
Moon sets: 9.19 am

NEWSPAPERS RECYCLING
Recycled paper made up
47.4% of the cost material for
UK newspapers in the first
half of 1997

FORECAST

General: England and Wales mild but windy, with some rain. Gales along the Channel. Many southern and eastern parts dull with intermittent rain all day, but brighter more showery weather expected to spread from the northwest in afternoon. Scotland and N Ireland colder with rain turning showery and sunny spells; far north will keep steady rain, preceded by sleet or snow. The Irish Republic cloudy with heavy rain in morning; sunny intervals with a few showers later.
Tonight, showers will continue in north and west of N Ireland and Scotland and these will fall as sleet and snow over the hills, and will eventually reach low levels over Scotland.
London, SE, Cent S, E, SW England, E Anglia, E Midlands, Channel Isles: Dull with spells of rain. Fresh to strong SW wind, easing later. Max 14C (57F)
W Midlands, Wales, NW England, Wales, Lake, Penn and N-Hogs, then becoming brighter with some showers. Brisk W to SW wind. Max 13C (55F)
West N, NE England: Rain easing to give showers with a little sunshine. Fresh SW winds evening moderate winds. Max 12C (53F)
Borders, E, Burgh & Dundee, Aberdeen, East Highlands, Moray Firth, NE Scotland: Sunny spells, isolated showers, windy over hills. Mod W to SW winds. Max 9C (48F)
SW Scotland, Glasgow, N Ireland: Rain, then sunny spells and sharp showers. Sunny spells, isolated showers, windy over hills. Mod W winds. Max 10C (50F)
Orkney, Shetland: Sleet or snow turning to rain. Fresh NE winds backing southeasterly. Max 5C (41F)
Republic of Ireland: Cloudy and wet morning with heavy rain at times. Sunny intervals later, with showers, chiefly in northwest. Mod W winds. Max 10C (50F)
Outlook: Colder weather in Scotland will push into N England tomorrow as rain clears south. Snow in north on Thurs; dry in south.

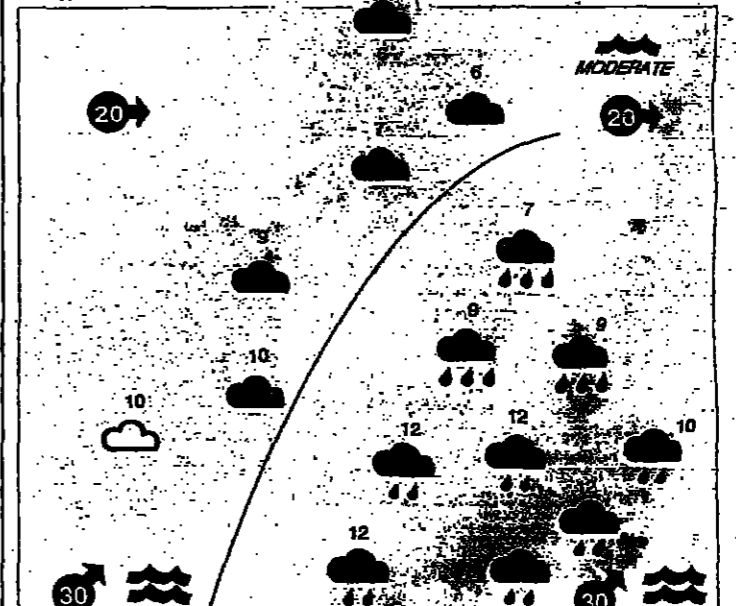
AROUND BRITAIN YESTERDAY

Table showing weather conditions around Britain yesterday. Columns include location, sun, rain, wind, and max/min temperatures.

ABROAD

Table showing weather conditions abroad. Columns include location, sun, rain, wind, and max/min temperatures.

MOON TODAY



Changes to chart below from noon: Low C moves quickly east-northeast and deepens. Low R slowly fills as it drifts eastwards. High B and G gradually move east and decline.

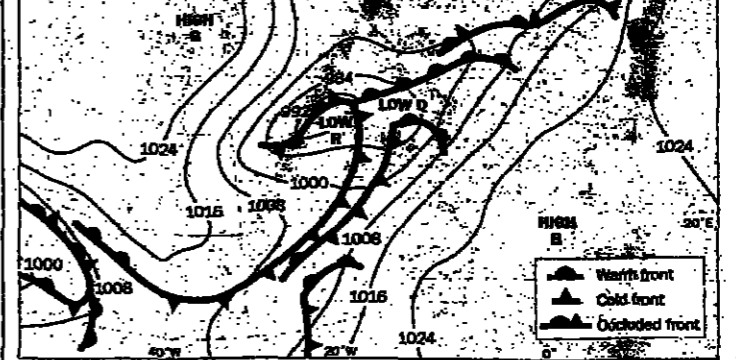


Table showing weather conditions for today. Columns include location, AM, HT, PM, HT, and weather conditions.

Yesterday: Highest day temp: Quorn, 13C (55F); lowest day temp: Lough, Shetland, 5C (41F); highest rainfall: Lough, 0.67in; highest sunshine: Aberdeen, 5.5h.

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CANT CEDAR WOOD FOR THE TREES?
Su-mare: give us health
shades, a extra choice
WPA Cedar is the simple
choice, value-for-money, all
the benefits you want, and
unbeatable customer service.

OWPA
Western Pine Association
FREECALL 0500 41 42 43

The Samaritans 0345 90 90 90

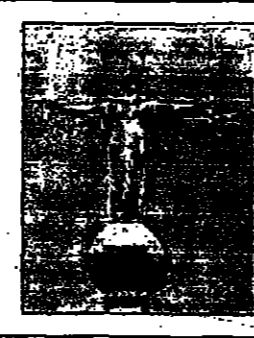
Large vertical advertisement on the right side of the page. It features a large image of a person's face and the text 'BIR' and 'Collinson'. The advertisement is partially cut off on the right edge.

THE TIMES 2

INSIDE SECTION
2
TODAY



ECONOMICS
Effective ERM needed if UK is to thrive
PAGE 31



LAW
Still time to qualify for the Justice awards
PAGES 39-41



SPORT
British women fall short in jump test
PAGES 47-52

TELEVISION AND RADIO
PAGES 50, 51

BUSINESS EDITOR Patience Wheatcroft

TUESDAY MARCH 3 1998

Rival US utilities raise Energy bids

BY CHRISTINE BUCKLEY
INDUSTRIAL CORRESPONDENT

PACIFICORP, the American energy utility, dramatically fought back in the battle for The Energy Group last night with an 820p-a-share bid worth a total of £4.35 billion.

The after-hours announcement trumped an offer of £4.3 billion or 810p a share from Texas Utilities, the rival US group, that had earlier yesterday won agreement from The Energy Group board in preference to the prior PacificCorp bid of £4.05 billion.

Advisers to PacificCorp raised the market yesterday afternoon and emerged with an 8.6 per cent stake in The Energy Group, understood to have been picked up at 820p a share. Last night Texas Utilities said it was considering its position.

Full details of the increased PacificCorp bid are expected to be revealed when the market opens this morning.

PacificCorp's takeover attempt has already been approved by regulators in Britain and America. John Devaney, chief executive of The Energy Group, said he believed regulatory hurdles would not be a problem with Texas either.

A key part of the Texas bid for Energy, which owns Eastern Electricity, is that it will sell its Peabody Coal, the US mining operation, for £1.4 billion deal with Lehman Brothers.

Texas, which will become 175 per cent geared if it is successful, is financing the deal with £6.25 billion from a consortium of banks led by Chase Manhattan. But the company plans to reduce its indebtedness — a feature which triggered concerns over the first PacificCorp offer last summer — with a share issue within the next year.

The battle for Energy is the most prolonged for any UK utility. It started with PacificCorp's first approach last summer, which was referred to the Monopolies and Mergers Commission.

Inchcape to be broken up



Philip Cushing, left, with Sir Colin Marshall, the chairman of Inchcape, has talked himself out of job with the break-up of the company and the concentration on car distribution

Chilean and Asian company shares for investors

BY PAUL DURMAN

INCHCAPE, surprised investors yesterday with an audacious plan to break itself up in a final attempt to halt the sharp decline in its share price that has taken place over the past five years.

The company proposes to give its investors shares in a Coca-Cola bottling company in Chile and an Asian marketing business as it concentrates on its main car import and distribution business.

The break-up of Inchcape will lead to the departures of Philip Cushing, chief executive, and Les Cullen, finance director. Sir Colin Marshall is to continue as chairman, but its executive management will be headed by Trevor Taylor, chief executive of the group's Toyota division, and Peter Johnson, head of Inchcape Motors International.

Bottling operations in South America will be spun off into a separate company listed in Chile. The less successful marketing arm, which represents Pringles crisps, Durex condoms and Nike sportswear, will be demerged on to an as-yet-undecided Asian stock market. These deals are expected to be completed over the next 15 months.

Before then Inchcape intends to sell its Coca-Cola bottling operation in Russia and its shipping services arm.

Mr Cushing said: "It is very important for us to be able to present ourselves to shareholders in a clear and straightforward way. Over the past two years we have delivered a 25 per cent increase in profits but the market capitalisation of the company has not responded to this improvement."

Inchcape shares halved during the final months of last year, mainly because of worries about Inchcape's exposure to Asia. Inchcape claims this was an unjustified overreaction. Yesterday its shares jumped 23 1/2 p to 212p.

Mr Cushing added: "I have to accept that if this is the best solution for shareholders then there have to be some consequences for me." Compensation payable to Mr Cushing and Mr Cullen, who will oversee the disposals over the next 15 months, has yet to be decided.

The continuing motors business, the largest independent car distributor, will have sales of £4 billion, profits of more than £170 million, and net assets of more than £500 million.

Inchcape recognises that not all its shareholders will want to own shares in a Chilean bottling company or an Asian marketing company, and in-

BTR price revitalised by special payment plan

BY ADAM JONES

IAN STRACHAN, the BTR chief executive, managed to breathe a little life back into the shrinking conglomerate's shares yesterday when he announced the return of £2 billion to investors.

The shares rose 16 per cent to 187p. They had been driven up on the promise of a £1.5 billion special payment to shareholders in the first half of this year and another £500 million in 1999. Mr Strachan said little about what form the return of capital would take, preferring to take account of any changes in the Budget later this month. The second payment will take advantage of the abolition of advance corporation tax in April 1999.

Mr Strachan also confirmed the sale of BTR's packaging businesses to Owens-Illinois of the US for £2.2 billion in cash, marking the halfway point in its mammoth disposal programme. The division includes Rockware and ACI — glass bottle producers in the UK and Australia respectively.

Andrew Mitchell, a Merrill Lynch analyst, said the price easily beat some market predictions of between £1.5 billion and £1.7 billion. He said the amount of capital to be returned was also more generous than expected.

Commentary, page 29

London soars to high after Tokyo's sharp rally

BY JANET BUSH, ECONOMICS EDITOR

THE London stock market roared to a record high, helped by a sharp rally in Tokyo on hopes that Japan is going to produce new measures to stimulate its economy and on more positive news from British corporates.

The FTSE 100 index closed 53.3 higher at 5,820.6, below an all-time trading high of 5,822.4 hit in afternoon dealing.

There was a positive mood at the outset after the Nikkei 225 index jumped by more than 2.5 per cent to hit its highest level since last October. Taku Yamazaki, policy chief of the ruling Liberal Democratic Party, called for a programme of public works to be accelerated.

London shares were also boosted by news of a bid by Texas Utilities for The Energy Group and BTR's announcement of the sale of its packaging business for £2.2 billion and its plan to return £2 billion to shareholders.

Economic data added little new to the debate on whether interest rates will have to rise. The purchasing managers' survey underlined the weakness of manufacturing but credit and money supply figures suggested robustness in consumer demand.

Industry on brink, page 28
Markets, page 30

BUSINESS TODAY

STOCK MARKET INDICES

FTSE 100	5820.6 (+53.3)
Yield	2.81%
FTSE All share	2707.81 (+24.41)
Nikkei	17264.34 (+432.57)
New York	2,411.9 (2-1184)
Dow Jones	8557.93 (+12.21)*
S&P Composite	1053.22 (+3.88)*

US RATE

Federal Funds	5 1/4% (5 1/4%)
Long Bond	10 1/2% (10 1/2%)
Yield	5.99% (5.92%)

LONDON MONEY

3-mth Interbank	7 1/2% (7 1/2%)
Life long call	10 1/2% (10 1/2%)

STERLING

New York	1.6475* (1.6442)
London	1.6485 (1.6485)
DM	2.9872 (2.9880)
FF	16.0120 (16.0250)
SF	2.4119 (2-1184)
Yen	206.82 (206.00)
£ Index	105.1 (105.1)

DOLLAR

London	1.6123* (1.6155)
DM	6.0750* (6.0905)
FF	1.4663* (1.4645)
Yen	125.53* (126.13)
£ Index	108.1 (108.4)

Tokyo close Yen 124.90

NORTH SEA OIL

Brent 15-day (May)	\$14.50 (\$14.50)
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GOLD

London close	\$298.55 (\$298.25)
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* denotes midday trading price

Snowden to get \$13m GTech payoff

FROM OLIVER AUGUST
IN NEW YORK

GUY SNOWDEN, the disgraced former chairman of GTech, will receive a \$13 million payoff (\$8 million) after resigning from the latter company.

GTech said yesterday it is severing all contractual relationships with Mr Snowden and Victor Markowicz, Mr Snowden's co-chairman, in an attempt to completely reorder GTech by refocusing the way we conduct business.

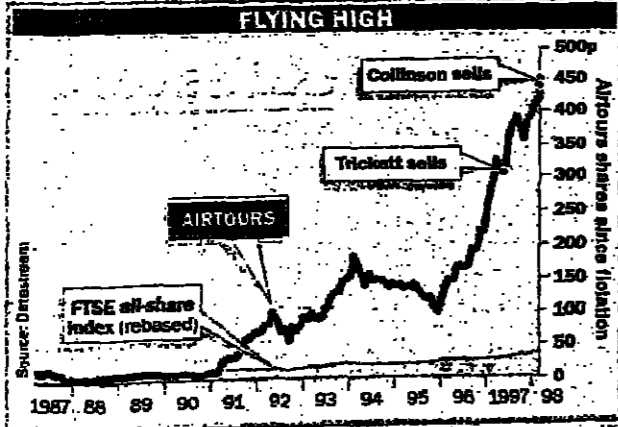
Mr Snowden resigned last month after losing a high-profile libel battle over allegations that he tried to bribe Richard Branson, the Virgin tycoon. Mr Markowicz resigned last week. GTech is a partner in Camelot, the operator of the National Lottery in Britain.

The two men, who founded GTech in 1976, will each receive a "golden goodbye" worth \$9 million and salary payments for this year of around \$4 million. The payout ends their participation in GTech's long-term incentive scheme. All their options have been redeemed but they each own about 1 per cent of GTech's stock.

A company spokesman said: "What they do with their shares is not up to us. We have ended all contractual relationships. There are no more share options outstanding."

Last week GTech announced it will sack 800 people worldwide, including about 20 in Britain. It plans a vast restructuring and will take a \$100 million charge against fourth-quarter results, due at the end of April.

Collinson sells bulk of his Airtours stake for £3.8m



HUGH COLLINSON, 53, the former managing director of Airtours and now chairman of its hotels and cruise division, yesterday sold £3.8 million worth of shares in the tour operator — the bulk of his holding.

After disposing of 750,000 ordinary shares and 95,000 options, Mr Collinson, a former accountant who was brought in to help with the flotation of the company in 1987, has just 100,000 shares left, or 0.023 per cent of the company.

Mr Collinson's shareholding dated from before 1996, when the stock was close to a five-year low of around 90p and

just before the shares began their ascent to a record high of 456p. The shares were unchanged at this level yesterday.

The shares were placed at 450p in 1987, and rose to almost £14 each before a share split earlier this year.

Mr Collinson made £3 each on his 95,000 options, giving a clear profit of £285,000. Airtours declined to say what he made on the shares that he sold, at 450p.

Mr Collinson was the first professional manager brought in by the founder of Airtours, David Crossland, 51, now its chairman, before the group's flotation in March 1987. Mr Crossland still owns 11



Collinson: shares climbed

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Industry on the brink of recession

By ALASDAIR MURRAY, ECONOMICS CORRESPONDENT

THE manufacturing sector is teetering on the brink of recession after new data showed output rising at its slowest rate for nearly two years.

Separate monetary data, also released yesterday, however, pointed to continued robust growth in consumer spending, highlighting the dilemma the Bank of England's Monetary Policy Committee will face when it reaches its decision on interest rates on Thursday.

The Chartered Institute of Purchasing Managers index fell for the third consecutive month, slipping from 51.8 to 51.2 — a figure that still indicates there is some weak growth in the sector. The new orders index also fell signifi-

Winchester Commodities in liquidation

WINCHESTER Commodities, the metals trading group embroiled in the Sumitomo copper trading scandal, is being placed in creditors' voluntary liquidation by its co-founders, Charles Vincent and Ashley Levett (Jon Ashworth writes). Winchester has found it difficult to recruit staff in the wake of the Sumitomo affair, in which Yasuo Hamaoka, Sumitomo's former chief copper trader, ran up losses of \$2.6 billion (£1.55 billion) in allegedly unauthorised trading. The Securities and Futures Authority advised — Winchester, of any wrongdoing involving Sumitomo and Codelco, the Chilean copper producer. Mr Vincent and Mr Levett have consistently denied any wrongdoing.

cantly, while export orders registered a net fall for the second month running as the strong pound continued to bite.

Overall demand rose at its lowest rate for more than 18 months, suggesting that domestic demand for exports was also faltering. However, the strong pound helped raw material prices to fall for the twenty-eighth consecutive month.

Peter Thompson, director-general of CIPS, said the data was "depressing". "Manufacturing may not have yet fallen into recession, but these figures show it is just about to," he said.

Consumer credit, however, rose a record £1.29 billion in January, after a similarly strong increase of £1.25 billion the previous month. The credit card lending component of the figure eased slightly to £361 million in December. Other lending increased from £810 million in December to £924 million, as consumers took advantage of retail credit deals available in the winter sales. Total personal borrowing growth, which also includes mortgage lending, remained stable at 7.5 per cent as mortgage lending slipped slightly.

M0, the measure of narrow money supply, also unexpectedly increased in February, climbing from 7 per cent to 7.2 per cent. However, the quarterly rate of growth eased back from 7.7 per cent to 5.9 per cent, suggesting that money supply growth, although still strong, has probably peaked.

Richard Iley, UK economist at ABN-Amro, said the data was probably not sufficient to persuade the Bank to raise rates this month. "The further rate rise we anticipate awaits truly decisive data — either a return to above trend-GDP growth or 5 per cent average earnings growth," he said.



Ladder of success: David Smith, top, chief executive, and Harry Cooper, finance director at Whatman, the filtration and separation technology company, saw pre-tax profits rise 24 per cent to £14.6

million in 1997. Turnover was little changed at £92.9 million, against a restated £92.4 million.

Underlying sales in Europe and America grew 5 per cent and 10 per cent respectively.

Sales in Asia Pacific and Japan rose 18 per cent and 12 per cent respectively.

Earnings increased to 38.1p (30.88p) a share. A final dividend of 10.3p lifts the total 17 per cent to 15.5p.

United gets a single contract for £3m fee

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

A CONTROVERSIAL £3 million consultancy fee was paid to an adviser by a division of United Utilities despite the operation bringing in only one new contract. A large part of the payment was performance-related.

United paid the sum to Derek Lewis, the non-executive chairman of Vertex Data Services — its billing and information technology division — under a contract arranged by Brian Staples, United's ousted chief executive.

Vertex, which last year made profits of just £27 million, was set up as an independent subsidiary two years ago with the aim that it should attract new business. So far, more than 95 per cent of its business remains the billing needs of United, a function that two years ago was conducted by two managers earning a total of about £200,000.

Vertex has won one new client — Bromley National Health Service Trust — and works also for Comet, the retail chain which bought the old retail division of United's electricity arm.

At £3 million, the payments made to Mr Lewis through his company, Hercules, equal 11 per cent of last year's profits. United is likely to face strong pressure to renegotiate the contract.

The latest pay embarrassment comes as Sir Desmond Pitcher, executive chairman, is preparing to leave United early after pressure from institutional investors. Sir Desmond was two years ago dubbed king of the utility fat cats by Ian McCartney, now Industry Minister.

Commentary, page 29

SocGen disposes of Hambros bond arm

THE break-up of Hambros, the financial services group, gathered pace yesterday when the new owner of the banking business, Société Générale, the French bank, sold the bond division. Royal Bank of Canada is paying an undisclosed sum for the bond business. About 150 employees, most of them based in London, are expected to move across when the deal is completed this week.

John Burbidge, of Royal Bank's global markets division, said that the Hambros division complemented its own bond business. "They are strong in euros [bonds], while we are strong in the Canadian market," he said. Stephen Brisby, deputy head of global corporate finance at Société Générale, said it had disposed of the bonds division partly because it was non-core, and partly because of the overlap in bond origination. Société Générale completed its £300 million acquisition of Hambros' banking division last Friday. It gave warning then of significant redundancies among the 1,000 plus staff.

Ewart battle nears end

THE battle for control of Ewart, the property group based in the Irish Republic, appeared close to a conclusion yesterday when Brian O'Connor, the chairman, pledged his 16 per cent stake to Dunlop House, lifting Dunlop's total holding to 51 per cent. Mr O'Connor's move appeared to defy the Ewart board, which had recommended an 81p-a-share offer by Moyne, a Northern Ireland consortium, after a third interested party, understood to be British Land, backed away from discussions.

Prudential-Bache fines

THE International Petroleum Exchange said that Prudential-Bache International and four of its employees have been sanctioned by a disciplinary panel. The IPE said that when acting on instructions from a client a third party spoof-order was caused to be executed in the gas oil market. The panel fined Keith Barker £10,100, Gary Lambeth £10,000, Stuart Dincham and Ian Baker £1,000. Prudential-Bache was fined a total of £1,000 in respect of actions by its employees.

Training group ahead

SHARES in Corporate Services, the contract labour and training services group, fell 9p to 231p yesterday in spite of improved profits and sales in 1997. Profits at the training division were hit by more than £1 million being spent on improving National Vocational Qualifications courses. Pre-tax profits rose to £30.3 million (£19.1 million), while turnover was £440 million (£277 million). Earnings per share were 13.6p (£1.5p). A final dividend of 3.2p makes a total of 5.9p (5p). *Tempus, page 30*

ITN retains C4 contract

INDEPENDENT Television News has retained the contract to produce Channel 4 News seeing off a rival bid from a joint venture between Merton Barraclough Carey, the independent production company, and Sky News, part of BSkyB. As part of its effort to keep the contract ITN replaced award-winning editor Sarah Nathan with Jim Gray who revamped the programme. It is now achieving a million viewers a night, some of its highest ever audience ratings.

Asian crisis hits Brunner

ECONOMIC difficulties in South-East Asia and the pound's strength contributed to a slight fall in pre-tax profits at Brunner Mond, the chemicals manufacturer, in the six months to December 31. Profit was £8.8 million (£8.9 million) on turnover flat at £72.2 million. Earnings were 8.5p (8.6p) a share. The interim dividend is held at 2.9p. David Wertheim, chief executive, said it was hard to predict the full impact of the Asian crisis but he believed Brunner was in a strong position longer term.

Glaxo deal lifts Cantab

CANTAB PHARMACEUTICALS increased revenues, reduced its loss and strengthened its balance sheet last year — largely thanks to its deal to license a potential herpes vaccine to Glaxo Wellcome. The deal provided the bulk of Cantab's £7.7 million (£3.1 million) of revenue. The larger drugs group also took a 4 per cent stake, enabling Cantab to finish the year with £41.8 million (£36.3 million) in cash. The loss fell to £3.2 million (£4.5 million).

Planit acquired for £12m

PLANIT GROUP, a developer of point-of-sale software, will reverse into British Thomson, a holding company whose main business is packaging; it was announced yesterday. British Thomson will pay about £12 million for Planit, of which £9 million will be satisfied through the issue of new shares to the vendor. In the six months to October 31 Planit earned operating profits of £80,000 on sales of £2.05 million. British Thomson shares were suspended at 25½p yesterday.

Domestic advances 13%

DOMESTIC & GENERAL GROUP, the specialist domestic appliance breakdown insurer, lifted pre-tax profits 12.8 per cent to £6.7 million in the six months to December 31. This was despite disappointing trading in December and the impact of increased rates of insurance premium tax, which adversely affected point-of-sale retailer schemes. Earnings rose 17.3 per cent to 13.19p a share and the interim dividend is increased to 3.5p from 2.9p. The shares rose 8p to 53½p.

Olivetti to sell division

OLIVETTI, the Italian information technology and telecoms company, is to sell its Olysys systems and services division to Wang Laboratories of the US in a \$390 million (£236 million) cash-and-shares deal that gives Olivetti a 19 per cent stake in the US company. The new Wang-Olysys group is expected to have combined revenues of about \$3.6 billion. Olivetti will shortly announce a second deal concerning the future of its Lexikon computer office equipment division.

Second venture for Tesco and Land

By CARL MORTSHED

BRITISH LAND and Tesco are setting up a second joint venture property company with assets worth £330 million. The new vehicle, which follows a £175 million joint venture established in 1996, will be owned equally by the two partners with £210 million

of properties contributed by Tesco and the balance injected by British Land.

The partnership will also invest a further £30 million in development, including the proposed regional shopping centre at Serpentine Green in Peterborough where Tesco is the anchor tenant. The portfolio will comprise 1.8 million sq ft, including

five Tesco superstores and seven retail shopping schemes anchored by Tesco. John Riblat, chairman of British Land, said that the partnership would be building extensions to many of the stores. "There is far less planning existence on existing sites than on new sites," he said. Tesco is contributing the

Beaumont Leys centre in Leicester, the Kingston Centre in Milton Keynes, the Weston Favell centre in Northampton, two Northern Ireland properties and a retail park in Bury. Mr Riblat said that both partners had pre-emption rights over the outstanding interest, should one partner decide to sell.

Millennium set to develop niche in conferences

By JON ASHWORTH

CONFERENCES are poised to become a major money-spinner at Millennium & Copthorne Hotels, the four-star business hotel group in which CDL Hotels International of Singapore holds 35 per cent.

Shares in the group rose 19p to 508½p yesterday, on pre-tax profits up 32 per cent to £50.2 million (£38 million) in the year to December 31. Turnover increased 22 per cent to £202.6 million (£166.2 million).

Kwek Leng Beng, chairman of Millennium, said 1997 had seen significant organic growth through streamlining operations, improving margins, and establishing a niche in the conference market. The economies of the UK and America remain strong, while France and Germany have improved. Millennium hotels were not experiencing any measurable dilution of business from Asia.

Mr Kwek said the group would continue to focus on yield management and cost control, and was confident of being able to grow revenue through higher room rates. Further acquisitions are likely.



Kwek: significant growth

Gates offers concession to ease pressure over Internet

FROM OLIVER AUGUST IN NEW YORK

BILL GATES, the Microsoft chairman, offered a last-minute key concession on the eve of a congressional hearing on his company's monopoly in the software sector.

Internet service providers having contractual relationships with Microsoft will be allowed to promote Internet browsers made by Mr Gates's competitors, he declared in an effort to soften political pressure. Mr Gates will be interviewed by the Judiciary Committee today.

Brad Smith, Microsoft's general counsel, said "We

look at our contracts with an eye to what might be a cause of potential concern. We addressed those concerns."

Microsoft is being prosecuted by the Justice Department for anti-competitive practices in the Internet sector. The company has been on the defensive since the first court battle in December but has so far rejected moves to limit its ability to market the Microsoft Explorer Internet browser.

The rewriting of Microsoft's contracts will affect around 40 Internet companies worldwide. In future,

they will not have to choose between Microsoft and Netscape, the current market leader. But they still cannot promote the Netscape Navigator more heavily than Microsoft's Internet Explorer.

A Microsoft spokesman said the new policy should ward off any complaints about cross-promotional agreements. Mr Gates yesterday sought to calm investors' fears that the launch of Windows 98, the operating system to replace Windows 95, Microsoft's main breadwinner, will not be delayed.

FOREIGN EXCHANGE

Bank	Bank	
Buyer	Seller	
Australia \$	2.58	2.56
Canada \$	1.56	1.55
Denmark Kr	6.47	6.47
France Fr	2.48	2.48
Germany DM	1.77	1.77
Italy Lit	10.47	10.47
Japan Yen	3.15	3.15
Norway Kr	13.88	13.88
Portugal Esc	204.48	204.70
Spain Ptas	163.7	163.7
Switzerland Fr	1.48	1.48
Turkey Lira	365.11	365.83
USA \$	1.70	1.67

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COMMENTARY by our City Editor



Ian Strachan has had a miserable couple of years trying to persuade the City that he knows what to do to make sense of BTR. He could talk a good strategy and did, repeatedly and often with the aid of extensive flip charts. Walking it was a different matter.

Yet the immaculately coiffured Strachan stuck to the path he had mapped out and now the destination is in sight: BTR, the purposeful engineering group, is about to appear.

Now Incheape, too, is opting for the fashionably streamlined look, dividing itself up in a way that highlights attractions which have been previously overlooked. The company's share price would surely not have languished for so long had more investors been aware that Incheape is big in Coke bottling in Chile and Peru.

Perhaps there will come a time when conglomerates are not stung as mere testimony to unbridled ambition but there is no current sign of the concept being rehabilitated. So Mr Strachan has degenerated himself to biding out of an assortment of businesses and yesterday won City applause for the price he achieved on a job lot of packaging operations. Del Boy himself would have been impressed with the deal. But would he have been so enamoured of Mr Strachan's decision to hand back most of the £2.2 billion to shareholders?

Share buybacks are currently

as fashionable as conglomerates once were. Incheape can now be added to the list of those planning such a move to curry favour with shareholders. Yet there is an element of defeatism in a company admitting that it cannot think of anything to do with the cash that would earn a decent return for shareholders.

Adventurous managers are already turning their attention to the Far East and looking for opportunities to go bottom fishing in markets where companies are beginning to look cheap.

There would surely be bargains for BTR to bolt onto the engineering business which is now its raison d'être. Those who opt for the slimming approach must beware of a hidden Mr Strachan has not yet been so covered by City criticism that he has succumbed to this — last year he bought Exide Electronics for £361 million — but he needs to build what is left of BTR.

founder on the job prospects of a chief executive. But Cushing is clearly confident that his achievements at Incheape will ensure that another role will be waiting for him — and his game plan does allow him 18 months to line up the perfect post. Jan Leschly may have been less confident of finding a job which could reward him on the scale that he has become accustomed to at SmithKline Beecham.

Sir Brian is Next in line

Who better to be the next chairman of Next than Sir Brian Pimman? His name is not by the name that automatically springs to mind when thinking of the most nattily dressed man in the City, but Sir Brian has been very close to super-model Naomi Campbell. The moment was brief, but

affectionate, and certainly made an impression on those who witnessed it.

By the standards of many boardroom appointments, that encounter makes Sir Brian very well qualified to move into the chair at the fashion chain. If a spell as the boss of Britain's railways can lead — disastrously — to the chairmanship of Seas, Sir Brian may even be over-qualified. Nominations committees, egged on by headhunters, saw nothing wrong with putting senior lawyers and former journalists into the top jobs in British banking, although experience may ensure that real live bankers are given priority when the jobs come round again.

By contrast, the appointment of Sir Brian as a successor to Lord Wolfson of Sunningdale is truly inspired. At Lloyd's TSB he has demonstrated a resounding determination to stick to what the bank does best and to bear in mind what customers want. If he

can ensure that Next abides by the same policy, the retailer stands every chance of continuing the remarkable run that it has had in recent years.

The double act of Lord Wolfson, now installed in the chair at his family firm, GUS, and David Jones, the chief executive, has taken Next to sales which, in terms of density and reliability, come closer to Marks & Spencer's achievements than any high street rival. The innovative George Davies made Next a household name but almost killed it with his wild ambitions for the brand. Wolfson and Jones brought it back from the brink, building on the loyal customers Davies had wooed but keeping their eyes firmly on the bottom line rather than the headlines.

Sir Brian is the ideal choice to continue that success. He will not have wild ideas about making Next a huge force in financial services; he knows that banks can do that perfectly well, if they

are properly run. The arrival of a new chairman in May is not before time. Although both Wolfson and Jones have insisted that there is no conflict of interest in Wolfson chairing both GUS and Next, others have perceived that the two organisations do have more than a little in common: both sell clothes and both use catalogues.

Preying on the shareholders

Judge Doreen Le Pichon of Hong Kong seemed shocked to find that Peregrine Securities UK paid out about £5 million in bonuses, four fifths of its 1997 profit, while its parent group was going spectacularly bust.

Nearly half was earmarked for eight directors. But the judge had to admit this was in one sense moderate for PSUK. Bonuses had absorbed 90 per cent of the smaller 1996 profit.

To hardened observers of investment banks, however, the judge's strictness over Peregrine would seem fairly routine. Senior folk in profitable parts of Barings pocketed millions in bonuses while owners of Barings debt and charities were left in the

lurch. Barings had been bought from the receivers by ING which wanted to keep key staff and insulated them from disaster. Much of PSUK was taken over by Spain's Grupo Santander, including nearly all the directors, but the judge felt the legalities were not so clear-cut.

At least PSUK made profits. Even when a business is being closed to stem losses, as at NatWest, there can be staggering contractual bonuses to meet. Such a contradiction shows that owners of these self-help groups are out of their depth.

Public companies are playing against partnerships such as Goldman Sachs and private firms on terms that can make nonsense of duties to shareholders. Those who demand riches should carry the risk that goes with it, not be mollycoddled. Investment bankers have become overnight subjects.

Pay bonanza

SIR Desmond Pither was clearly in generous mood when he agreed the deal that brought Derek Lewis a £3 million pay cheque last year. Vertex has done little more than United Utilities did for itself before its creation, since, with only one exception, it failed to win any outside business. No matter, Mr Lewis collected his bonanza. Another case of shareholders being seen as generous providers from whom others can profit...

Billiton takes cautious stance over investment

By CARL MORTISHED, INTERNATIONAL BUSINESS EDITOR

BILLITON, the mining and metals group, warned investors yesterday not to expect rapid progress in investing the company's \$1.7 billion (about £1 billion) cash pile in the distressed base metals market.

Brian Gilbertson, chairman, said the company was well advanced in evaluating several projects, including privatisations in Venezuela, Colombia and the Congo but he added: "I am aware that expectations of some imminent new investment are high. However, we will only invest where shareholder value is created. Nothing less will be considered."

Mr Gilbertson said that the Venezuelan Government had imposed a labour standstill on

the privatisation of the 600,000 tonne per year Puerto Ordaz aluminium complex, making it difficult to achieve its full potential for years. In addition, potential investors are expected to spend \$300 million on environmental improvements plus a further

Tempus _____ 30

\$300 million on a maintenance backlog.

Shares in the mining group gained 6 per cent to 158p as it revealed a 47 per cent rise in attributable profit in the first half to \$249 million.

Much of the advance was because of a strong performance from aluminium which

contributed \$139 million compared with \$88 million in the same period last year, mainly through stronger aluminium prices.

However, Billiton's stake in Ingwe Coal and Sannaco, the steel and ferro-alloy business, suffered from weak commodity prices; Ingwe's profit contribution fell from \$33 million to \$23 million in the first half.

The company said yesterday that weak commodity prices had created more difficult conditions but indicated that most of Billiton's businesses were at the low end of the cost spectrum.

David Munro, head of the aluminium business, said that demand was stable for the metal but dented by the Far East was having an effect

on the Japanese prime premium. He said: "Some metal that we would normally expect in the Far East is heading for the US."

Billiton sold forward some 170,000 tonnes of aluminium at prices of \$1,600 per tonne, representing 20 per cent of annual production.

Billiton's gearing at the end of December was nil and liquid resources rose to \$1.7 billion.

The company is soon to make an investment decision on the Mozal project, a 245,000 tonne aluminium smelter in Maputo, Mozambique, which is expected to cost \$1.25 billion.

Billiton is paying a maiden interim dividend of 3.5 US cents per share.

Pearson law publisher sold for £70m

PEARSON, the information and publishing group, has sold its specialist law publishing business to The Thomson Corporation for £70 million. FT Law and Tax titles include *Wilkinson's Road Traffic Offences* and *The Solicitor* (Raymond Snoddy writes).

At the same time yesterday Pearson announced the formal creation of a new Financial Times group designed to provide news, analysis, comment and management development.

Stephen Hill, chief executive of the *Financial Times* newspaper, will become chief executive of the new group.

Pearson has already announced plans to spend up to £100 million on the *Financial Times* over five years with particular emphasis on the US market.

Perkins sells fruit and veg division

By ADAM JONES

SHARES of Perkins Foods rose 15p to 135p yesterday on the news that it is to pull out of fruit and veg and return £45.4 million to shareholders. It also appointed a new chief executive.

Perkins' fruit-and-veg distribution division is being sold to Greenery International, part of the Dutch fruit and vegetable producers' co-operative, for about £127 million in cash.

Perkins believes the fruit-and-veg business is going to face much stiffer competition. Ian Blackburn, deputy chief executive and finance director, said the deal would allow Perkins to plough more money into higher-margin areas such as ready-made chilled meals.

The disposal price was more than 14 times the division's post-tax earnings and will leave Perkins with too much capital. The resulting £45.4 million share buyback, which

is dependent on the disposal being cleared by shareholders and by Dutch regulators, will mean a payment of about 25p per ordinary share and 22.8p per preference share. One share in five will be cancelled.

The effect of the buyback — plus a forthcoming acquisition in France and head office cuts — means that 1998 earnings should not be diluted by the disposal, Mr Blackburn said.

Mr Blackburn will succeed Howard Phillips as chief executive of the group when the latter retires in May. Perkins also reported yesterday that pre-tax profits in 1997 rose 19 per cent to £28 million, despite a £4.2 million currency hit.

Turnover rose 34 per cent to £626.8 million. A dividend of 2.8p will be paid on April 28, making a year total of 4.6p.

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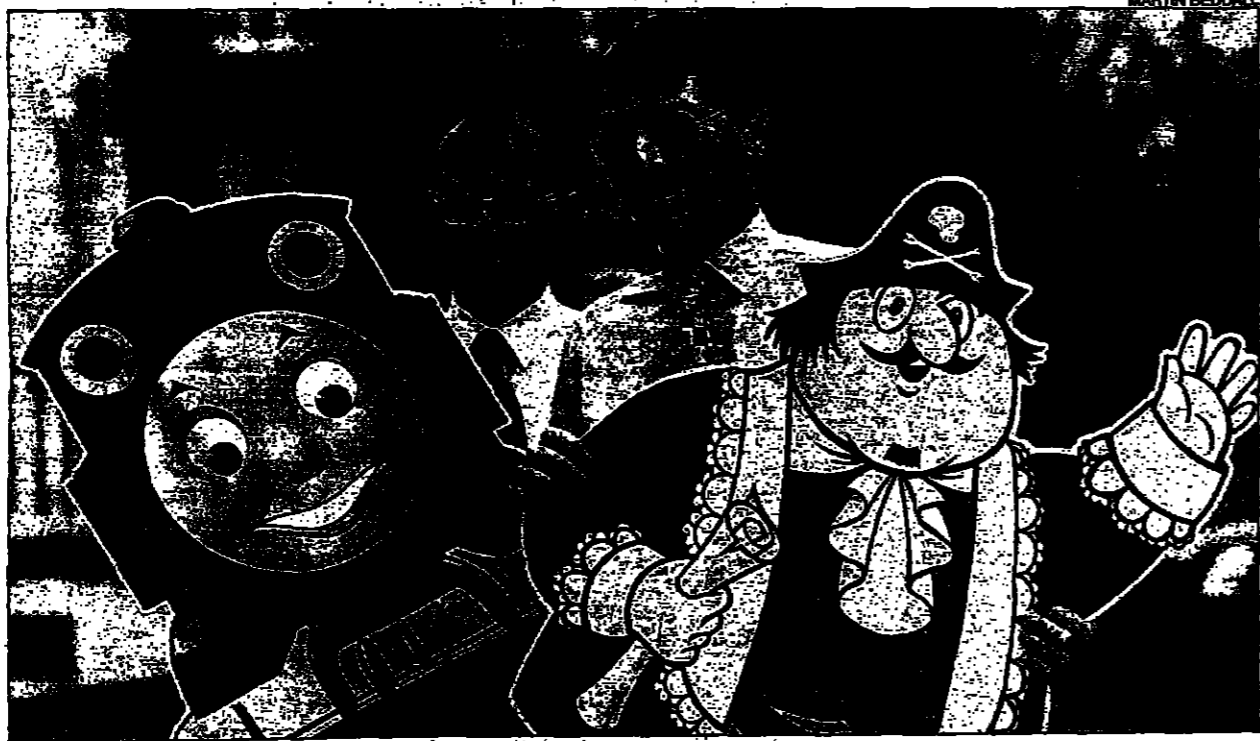
Recovery for Graham at the double

GRAHAM GROUP, the builders' merchants, recovered from a poor 1996 to nearly double profits in 1997 (Adam Jones writes). Profits before tax recovered from £10.7 million in 1996, when Graham was hammered by a downturn in housebuilding, to £21.3 million in 1997.

Turnover slipped from £533.9 million to £530.8 million, however, reflecting Graham's major presence in Scotland, where the housing market recovery has been slow.

Ian Mills, chief executive, said the recovery was helped by a scheme whereby all 3,500 Graham employees received three days' residential training.

A dividend of 4p per share will be paid on May 5, making a total of 6p (5.7p) for the year.



Tim Hilton, left, and William Harris, Britt Allcroft directors, with Thomas the Tank Engine and Captain Pugwash

Britt Allcroft near Thomas deal

By RAYMOND SNODDY, MEDIA EDITOR

BRITT ALLCROFT, the children's entertainment production, distribution and licensing company best known for Thomas the Tank Engine, is close to a deal to buy the master rights to Thomas from Reed Elsevier. Britt Allcroft and Egmont, the children's publisher, have

jointly bid £26.5 million for the rights after talks between Reed and Penguin broke down.

Britt Allcroft would own television and other related rights for which at present it must pay a licence fee of £2 million a year. Egmont would get the publishing rights to the Thomas books. Britt Allcroft already has

an exclusive licence of the worldwide television, video and character-licensing rights until 2011.

The company is also thought to be in talks with Guinness Mahon, the merchant bank, to buy the rights to the children's television character Sooty.

Britt Allcroft reported a 27 per cent rise in pre-tax profits,

to £1.21 million, for the half year to December 31. Earnings per share rose to 3.23p, from 2.56p. The interim dividend rises to 0.7p, from 0.6p.

The company also said yesterday that agreement has been reached to license a Thomas area within a long-established theme park on the lower slopes of Mount Fuji, Japan.

Merrill makes first changes at MAM

By RICHARD MILES

MERRILL LYNCH, the US investment bank, has made the first changes to the management team at Mercury Asset Management (MAM) since it bought the company for £3.1 billion last November.

The head of MAM's fixed-interest division, Charles Jackson, has been supplanted by his direct counterpart at Merrill, Tim Manna. A further 20 appointments at the same level are expected to be announced during the next few weeks.

A letter sent to pension consultants last Friday says Mr

Jackson, who has been head of MAM's fixed-interest division for 13 years, has been given the newly created role of head of new product development.

Mr Manna is bringing across at least five of his colleagues from Merrill's fixed-interest division.

Mr Jackson said: "I would like to emphasise that the combined group is fully committed to maintaining a top-rated fixed-interest capability."

Pension consultants interpreted Mr Manna's appointment as the first dabbling by Merrill in MAM's business.

More jobs to go at British Polythene

By KATHY LIPARI

BRITISH Polythene Industries, the plastic bags manufacturer, yesterday blamed difficult trading conditions, restructuring costs and sterling's strength for a 17 per cent slide in annual pre-tax profits. BPI said that further restructuring would be needed, involving the loss of up to 200 jobs, as it reported 1997 profits of £23.2 million, down from £28 million in 1996. The results were below expectations and the shares fell 25p to 451p as analysts cut current-year forecasts.

Cameron McLachlan, chairman, said he believed that last

year's results were a temporary setback. However, the stretchwrap market remained tough and had margins of 2 to 3 per cent, a slight improvement on last year.

Mr McLachlan said that he was optimistic of profit growth in the current year. However, analysts are now looking for a full-year profit of about £28 million, instead of £30 million.

Turnover for 1997 was 10 per cent up, at £454 million. Earnings per share fell to 41.2p, from 47.07p. The final dividend rises to 13.6p (12p), lifting the total 10 per cent to 20.1p.

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Blue Circle surges on prospects for sector



Brian Gilbertson, left, and Mick Davies, finance director at Billiton, saw a 58 per cent profit rise in aluminium

BLUE Circle Industries surged 39p to 394p yesterday as dealers turned bullish about prospects for the building materials sector.

The 11 per cent advance, with almost four million shares traded, could trigger a turning point for other companies in the sector, which has so far missed out on the mood of euphoria elsewhere in the stock market.

City analysts explain the rise as dawning realisation that the sector is in for relative stability over the next few years, ending the boom-and-bust track record.

The entire sector now seems to be on the up. It entered 1998 on a 15-year low compared with the market as a whole. Now some dealers are already taking positions on a touch of takeover speculation.

A current favourite is Graham Group, up 74p to 178p after returning solid results. Word is that Ian Mills, its chief executive, would view favourably a cash offer of more than 200p a share.

The shares have been gaining since hitting 160p last month. Travis Perkins, up 12p to 571p, is also being floated as a potential suitor. It has bought six companies in the past 12 months. The Prudential owns about 5 per cent of both companies, and is coming into the frame as marriage broker.

Marley, up 2p to 112p, is also looking vulnerable. It has an enviable portfolio, but has been criticised in some quarters for lacklustre management. In the past three weeks, the shares have sprung from 33p - suggesting that a move may be imminent.

The entire 3.68 per cent surge in the sector was first traced to results from Lilleshaal, a small window and doors specialist which has mounted a strong recovery in the past six months.

Results yesterday show it has overcome divisional management problems and the shares added 6p to 100p - going into triple figures for the first time in three years.

Some of this is also beginning to rub off on Wolsley, up 39p to 529p, and Meyer International, up 12p to 391p.

BTR, the shrinking engineering conglomerate, headed the resurgence of another unloved sector. It achieved one of the sharpest one-day rises ever seen by a FTSE 100 company after winning £22

billions in cash for its glass and packaging division.

The shares jumped 25p to 187p - adding an instant £1.05 billion to the value of the FTSE 100. This helped the market to gain 53.3 to a high of 5,820.6, climbing down from 5,849.6 at the end of trading.

Although Lord Wilson of Sunningdale had been expected to quit the board of Nestlé,

left bullish dealers feeling a bit daft - and eager to spot the other innocent victims of the past few weeks.

Siebe, British Aerospace and BBA have been taking their turn to bounce back. FKI still sits on a 35 per cent discount when a 20 per cent would be more suitably punitive.

The engineering results season kicks off next week, and is expected to be less of a bloodbath than the City expected. But with the likes of LMI still well off its high, the recovery seems set to go much further.

it returns poor mail order results it may well have to crank up its 570p-a-share hostile bid.

Shares of Logica continued their advance yesterday - breaking through the £15 barrier which Nomura securities set as a year-end target only two months ago. At the time, it was criticised for being too ambitious but now targets of £18 are being mentioned.

Sema, its rival, is fast approaching the £20 barrier and the advance of both companies is giving City analysts a bad dose of vertigo.

Each advance in the shares price is accompanied by investment notes warning that the multiples are unsustainable, and that the whole sector will crash soon.

The trigger now being mentioned is staff share options. Billiton, whose chairman and chief executive is Brian Gilbertson, demonstrated why it does not deserve to be dragged down with the slump in precious metals yesterday.

By returning a 58 per cent increase in profit from aluminium, its main earner. The shares, which have plunged from their 200p flotation price last summer, recovered a further 94p to close at 158p.

There was some light profit-taking from Eides, dropping 40p from its post-Christmas high of £11. The run has been fuelled by more profits from Lara Croft and Tomb Raider II.

Technology stocks also lived up to the Alternative Investment Market, mainly on the back of tips from Techinvest, the trade publication. It funded Memory Corporation, up 51p to a four-month high of 35p, and Highams Systems, up 17p to 22p.

Deep-Sea Leisure firmed a further 15p to 340p. Dealers expect its aquarium in Chester to prove every bit as profitable as its flagship Scottish site.

GILT-EDGED: Dealers found reasonable trade on volume of 59,000. Longs did as Treasury 8 per cent 2021 gained £1.22 to £125.22. Treasury 7 per cent 2022 advanced £1.16 to £102.2.

NEW YORK: Wall Street pressed higher in early trading, building on a February rally that took all the major indices to record highs. Continued strength in the technology sector helped to fuel the gains and at midday the Dow Jones industrial average was up 12.21 points at 8,557.93.

Table of international market indices: New York (midday), Tokyo, Hong Kong, Amsterdam, Sydney, Frankfurt, Singapore, Brussels, Paris, Zurich, London, Athens Extrastors, Base B, Diageo, Eurotunnel, Monsoon, Quadrant Health, Sanctuary Warrants, Minerva n/p, Wates City Lon n/p.

Table of company share prices: Reed Executive, Ingham, Blue Circle, Perkins Food, HJT Enter, BICC, Sun Life & P, Adm Serv, S&W, Gearhouse Gp, Trust Motor Gp, Wolsley, Carlton Com, BOC, Lorien, Leade, REA, AMVESCAP, TI, Rank Gp, Capita Gp, Doring Kind, Enterprise, Med, Allied Domecq, Biffaward, Bank Scotland, Shire Pharm, De La Rue, Woolwich, Br Airways, Tate & Lyle, Black & Veatch, Smithline.

Table of commodity prices: Gold, Silver, Platinum, Palladium, Copper, Nickel, Tin, Lead, Zinc, Aluminium, Iron Ore, Wheat, Soybean, Corn, Sugar, Coffee, Cotton, Rubber, Lumber, Oil, Gas, Coal, Uranium, Uranium Oxide, Uranium Fuel, Uranium Conversion, Uranium Enrichment, Uranium Conversion, Uranium Enrichment, Uranium Conversion, Uranium Enrichment.

Table of currency exchange rates: Australia, Canada, France, Germany, Hong Kong, Ireland, Italy, Japan, Korea, Malaysia, Netherlands, New Zealand, Norway, Portugal, Singapore, South Africa, Sweden, Switzerland, Argentina, Australia dollar, Bahraini dinar, Bangladeshi taka, British pound, Canadian dollar, Chinese yuan, Cypriot pound, Danish krone, Hong Kong dollar, Indian rupee, Indonesian rupiah, Japanese yen, Malaysian ringgit, New Zealand dollar, Saudi Arabian riyal, Singapore dollar, Sri Lankan rupee, Thai baht, US dollar, US dollar, US dollar, US dollar.

Table of interest rates: Prime Bank Bill, Sterling Money Rate, Overnight open 7, Local Authority Dept, Sterling CD, Dollar CD, Building Society CDs, 1 month, 2 month, 3 month, 6 month, 12 month.

Table of market rates for March 2: Amsterdam, Brussels, Copenhagen, Dublin, Frankfurt, London, Madrid, Milan, Montreal, New York, Paris, Stockholm, Tokyo, Vienna, Zurich, Source: Ecolit.

Farewell to empire

IF INCHCAPE did not exist already, no one would take the trouble to create it. Importing Toyotas to the UK has little in common with bottling Coca-Cola in Chile, selling photocopiers in China, or running shops for Timberland boots in Japan. Just in case management had any lingering affection for this assortment, the dangers of owning a complex and poorly understood portfolio were clearly exposed by the Asian economic crisis. Inchcape's shares halved, a far bigger fall than the anticipated drop in profits.

The planned demerger must be a step in the right direction, but it will be a messy affair, with at least five separate transactions. The Russian bottling operation is running up heavy losses and Inchcape will have to accept Coca-Cola's price for it. The sale of the port agency network and the office equipment

business looks straightforward but the key to success of demerger lies with the fast-growing South American bottling business. Happy for Inchcape, soft drinks bottlers currently command a premium rating on the Chilean stock market - and the company hopes its business might be worth £50 million. Few UK shareholders will want to hang on to their shares in the bottle, but Inchcape believes this is a problem easily solved.

The Asian marketing business remains a ragbag with declining profits, but Inchcape is valuing it at around only £100 million. Estimates of the total break-up value suggest Inchcape's shares could be worth anything from 216p to nearly 300p. Although shareholders jumped to 216p yesterday, they look to have little downside. But the scale of the uncertainties should limit their attractions to the bold.

Billiton

BILLITON has not done itself any favours by failing to come up with the anticipated offer for Ingham Coal, South Africa's biggest coal miner. A worldwide over-supply of coal has kept prices down and depressed Ingham's shares: they have halved since June and the company's worth has tumbled to only £475 million. Billiton already has a 42 per cent stake in Ingham, and it could buy the rest at bargain levels. Its pockets are stuffed with cash, having raised \$1.5 billion (£900 million) in last summer's flotation and secured a further \$1.5 billion with a new credit facility. Of course, the former international arm of Gencor would probably rather not be seen to be increasing exposure to South Africa. But where else can it go?

Perkins

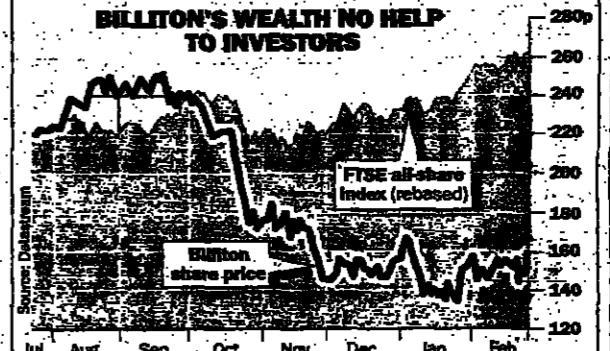
A TOUCH melodramatic, perhaps, but Ian Blackburn of Perkins was right when he said that it is almost unknown in the world of fresh produce to sell a business for 14 times earnings. That is the price Perkins has achieved for its fruit-and-vegetable distribution division. The Dutch buyers are co-operative of farmers who were willing to pay a premium to own the means of distribution. Perkins does not want to blow the money on acquisitions and so is returning £45.4 million to investors. It wants to concentrate on chilled and frozen foods, growing the company organically and through small purchases. France is one obvious target - they like ready-made chilled meals more than they let on - and a small acquisition is planned there. The disposal alters Perkins' European profile, making it less dependent on

the Continent and more on the UK. Talking out the lower-margin fresh produce operations could make Perkins more attractive to a bidder. Although the shares look fairly priced on fundamentals - Henderson Cross-thwaite reckons earnings per share should be maintained this year, giving a prospective p/e of about 14.3 - the chance of a bid provides some speculative interest.

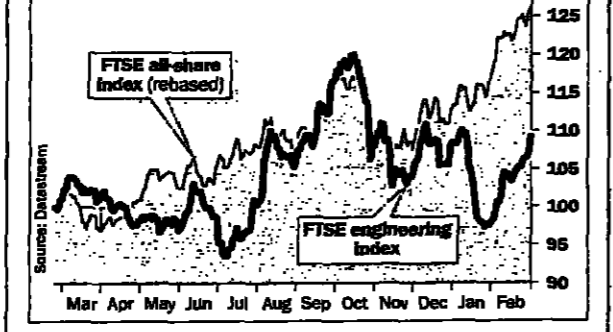
Corporate Servs

LIKE a depressive teenager, Corporate Services is fond of telling anyone willing to listen that it's mismanaged. And it is probably right. The company falls between outsourcees such as Capita and temporary labour providers such as Reed Employment. CS specialises in negotiating contracts for skilled labourers for an average period of three years. It also trains people to get National Vocational Qualifica-

self spectacularly well, given the fall in basic metal prices but its return on capital will suffer from an embarrassment of riches in the bank. With aluminium inventories still low, Billiton shares still look good on fundamentals but having tempted investors to fund its appetite for deals, it needs to buy soon.



METAL BASHING



MORGAN CRIBBLE gave the City a nasty surprise with its gloomy trading statement in January. Analysts had already been nervous the strong pound usually spells disaster for exporters. A heavy slip of new year profits downgrading drove the sector to its knees. But did the sector really deserve to underperform the FTSE by 13 per cent since the new year? Yesterday's 3.62 per cent rise in the sector suggests the City is having second thoughts. The phenomenal one-day recovery of BTR has

COMMODITIES

Table of commodity prices: LIFEE, ICIS-LOR (London 8/10p), CRUDE OILS (\$/barrel FOB), GNI LONDON GRAIN FUTURES, WHEAT, RICE, SOYBEAN, CORN, SUGAR, COFFEE, COTTON, RUBBER, LUMBER, OIL, GAS, COAL, URANIUM, URANIUM OXIDE, URANIUM FUEL, URANIUM CONVERSION, URANIUM ENRICHMENT.

LIFEE OPTIONS

Table of LIFEE options: Call, Put, Strike, Expiry, Price, Bid, Offer.

FINANCE

Table of finance data: Long Gil, German Govt Bond, Italian Govt Bond, Japanese Govt Bond, Three Mth Sterling, Three Mth Eurodollar, Three Mth Euribor, Three Mth ECU, Three Mth ECU, FTSE 100, Base Rate Clearing Bank, Discount Market, Treasury Bills, Prime Bank Bill, Sterling Money Rate, Overnight open 7, Local Authority Dept, Sterling CD, Dollar CD, Building Society CDs.

MARKETS

Table of market rates for March 2: Amsterdam, Brussels, Copenhagen, Dublin, Frankfurt, London, Madrid, Milan, Montreal, New York, Paris, Stockholm, Tokyo, Vienna, Zurich, Source: Ecolit.

STOCK MARKET

Table of stock market data: Australia, Canada, France, Germany, Hong Kong, Ireland, Italy, Japan, Korea, Malaysia, Netherlands, New Zealand, Norway, Portugal, Singapore, South Africa, Sweden, Switzerland, Argentina, Australia dollar, Bahraini dinar, Bangladeshi taka, British pound, Canadian dollar, Chinese yuan, Cypriot pound, Danish krone, Hong Kong dollar, Indian rupee, Indonesian rupiah, Japanese yen, Malaysian ringgit, New Zealand dollar, Saudi Arabian riyal, Singapore dollar, Sri Lankan rupee, Thai baht, US dollar, US dollar, US dollar, US dollar.

Chance... Unstab threat... Onehorse...

Chancellor proves he can be resourceful

The Treasury is not noted as one of the more shy and retiring arms of the Government. Yet, with none of the usual fanfare, Gordon Brown is next month set to emulate Gladstone by ushering in one of the largest shake-ups in Whitehall behaviour in over a century.

The reform in question is the introduction of resource accountability to Whitehall departments. The subject is regarded as so dry that even a department that regularly delights in its fiscal transparency codes cannot manage to get excited. Few beyond the private sector accountants who look set to enjoy a public sector employment boom will be toasting its introduction, which represents the biggest change to public accounting for 130 years.

Resource accounting is a move towards the system long used by business that takes into account the movement in the value of assets as well as basic expenditure. The existing cash accounting system, which was introduced by Gladstone and laid the foundations for financing the mod-

ern state, is now looking decidedly long in the tooth. Cash accounting simply provides for a budget to cover running costs each year. Resource accounting adds an extra dimension, providing information on the use of assets and enabling departments to analyse expenditure according to departmental objectives.

The introduction of resource accounting forms a vital plank in Mr Brown's plan to overhaul the public finances. The Chancellor has made clear his determination to redirect funds into the Government's target areas such as health and education without substantially raising taxes or increasing the deficit. Resource accounting is the vital tool for ensuring an orderly programme of asset sales to raise new funds.

The Treasury has already given the country a taste of the potential for a new round of government sell-offs with the publication of the *National Asset Register* - dubbed the modern Domesday Book - in the autumn.

This information forms a

central part of the new accounting system and will enable the Government to identify superfluous or inefficient assets for disposal. Curiosities abound: the Ipswich Town football club car park owned by the Inland Revenue; the Home Office's personal stud farm and even Newton's apple tree at the National Physical Laboratory. Accountants have had trouble placing a fair value on the huge range of assets - how do you value a former Napoleonic War bunker now storing toxic waste? - but the best estimates place the Government's assets in the region of £200 billion to £300 billion.

Asset rich departments - headed by the Ministry of Defence that owns about 90,000 assets - are likely to come under intense pressure to launch a big sell-off. For the moment, the Treasury is try-

ing to encourage an orderly disposal of assets by allowing departments to keep proceeds of up to £100 million, as long as the money is used for investment purposes. However, after 2001, the money will revert to the Treasury and there is likely to be a substantial redistribution of funds to the Government's target departments. Mr Brown wants to make sure that Whitehall's assets - in business parlance - sweat.

The underlying aim is to change the pervading Whitehall culture. The existing cash-based system locks departments into a zero-sum game where each department battles against each other to win the largest sum possible from the Exchequer. Under the new system, departments should be able to look further ahead and make a clearer assessment of their needs. The

Treasury will be able to set the kind of medium-term targets that businesses use and clearly show how it intends to shift funding towards health and education, without undermining the efficiency of other departments.

The Government's performance will also be easier to monitor with the Office for National Statistics already preparing a new measure of public sector output expected to be introduced early next century.

Few can question the potential positive impact of this set of reforms. However, as with most of the Government's best laid plans, the implementation is proving a touch more difficult. The introduction of the new system is tied to a tight deadline that will see departments making a practice run in this financial year, followed by running the two systems in parallel in 1999-2000. By the financial year 2000-2001, the new accounting system should be fully operational in Whitehall.

The National Audit Office last week gave warning that about a third of all depart-

ments had not yet put in place the necessary computer systems and that limited progress had been made in defining departmental aims and objectives. Two departments, the MoD and the Department for Transport, Environment and the Regions, came in for particular criticism with the NAO indicating that they will miss the April 1 deadline.

The danger is that the rush to meet the deadline will hurry the Government into hiring private sector accountants, in much the same way as the drive to introduce business-thinking into policy-making led to a boom for management consultancy.

The accounting profession, which until now has been largely excluded from Whitehall, can barely conceal its glee at the reform which finally makes its skills compatible with government accounting rules. The Treasury needs to establish guidelines on Civil Service use of private sector accountancy skills quickly, if the benefits of the new system are not to be squandered on expensive private sector firms.



ALAN SPAHR

Unstable exchange rates pose threat to industry worldwide

Whether or not we eventually join EMU, industry needs the most stable link possible between the pound and the euro, at a competitive rate for the pound. There must be some scope for adjusting rates, or we might as well be in EMU; but it is impossible for industry to plan its future investment or operations in Europe effectively when the pound is as erratic as it has been since we left the ERM.

However, any formal link with the euro must start with the pound at a realistic level that puts UK industry on an equal footing with continental producers. Other members of the EU who are not in EMU also need such a link, particularly those who intend to join later.

There already exists a framework for linking the ins and outs - the ERM. Unfortunately, it has become discredited in British eyes since the Black Wednesday fiasco, when speculation drove the pound off its parity. However, given the need for some such mechanism, we need to consider carefully why the ERM failed and how a new framework might be made more effective.

The basic mistake in the case of the UK was to join when the pound was at an uncompetitive rate of DM2.95. After its initial fall when we left the ERM, the pound has again floated up to an unsustainable level, approaching three marks, which the National Institute and Goldman Sachs estimate to represent a 20 per cent over-valuation. We should not enter any new stabilisation arrangements with the pound any higher than around DM2.50.

The weakness of the ERM in its latter days was that the participants were unable to agree on changes in parities when they were needed; and at the same time, there was no effective agreement for defending the official parities when

The single currency starts without us. But for Britain to thrive, argues John Griève Smith, there must be an effective ERM



After the ERM's failure when Norman Lamont, left, was Chancellor, Gordon Brown must consider a new framework

they came under attack. In practice, any such defence depended on decisions by the Bundesbank.

Any effective new system must provide for agreement on adjustments in "central rates", when required, and then for automatic support for the agreed parities when needed. This may be particu-

larly important for new entrants to the EU. In any new system, there must be official parities between each participant and the euro, but these should be considerably narrower than the present plus or minus 15 per cent, say plus or minus 2.5 per cent.

To minimise the potential gains from speculation,

changes in parities should be small and relatively frequent, rather than large and infrequent. (There is a parallel with the way the Bank Rate is now set, with regular monthly meetings and 0.25 per cent changes.)

Exchange rates should be reviewed by a sub-committee of Ecofin at regular monthly

always lie within the previous band, so that there would not necessarily be any further overnight fall (or rise) when the central rate went down (or up), thus reducing the scope for one-way bets against a currency that are so profitable when sizeable devaluations occur.

Provision for automatic support to keep rates within the agreed bands would depend primarily on action by the European central bank and the Bank of England, unless a special stabilisation fund was set up for this purpose. Either way, the European central bank would inevitably be in a powerful position. But an obligation to provide support for currencies under pressure would give it a strong incentive to support changes needed to keep exchange rates at realistic levels.

The euro/sterling problem is a microcosm of the wider global problem of how to ensure greater exchange rate stability. The creation of the euro as one of the major world currencies should give impetus to a new initiative to stabilise exchange rates on a global scale.

A little while ago the emphasis would have been primarily on the relations between the dollar, the yen and the euro (cum sterling). But the Asian crisis has created an urgent need to stabilise exchange rates on a wider basis. The recent depreciation of Asian currencies is creating debt and trade problems the magnitude of whose ultimate effects has yet to be seen.

The perils of unstable exchange rates when finance and industry operate on a global scale are becoming acute.

For Europe and the world economy, the pressing problem is to find an effective exchange rate mechanism that lies between the extremes of complete currency union and freely floating rates.

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One-horse town

AS SLOWLY and inexorably as the Horse of the Year Show, the City's elections for a house of sheriffs come around again. One comes from the court of common council, the lay candidate if you like, and one from the ranks of the aldermen, those worthies who, if they keep their noses clean, can one day expect to become Lord Mayor. As in North Korea, Iraq, the old Soviet Union and other areas with a strong democratic tradition, the powers-that-be prefer there to be just two candidates for the

two posts, thereby sparing the electorate the agony of making a choice. The fun comes, when someone else tries to shoulder-charge their way in.

This year's establishment candidates so far are Gavin Arthur, from the Aldermen; and Brian Harris, former chairman of Richard Ellis, from the court. But the election is not until June 24, so there is plenty of time for outsiders to appear. We can, alas, write off Dennis Delderfield, who withdrew from the race last year after telling a Guildhall audience what he thought of the system. Which leaves Tony Bull, who has crossed the system before, and won. He is not saying much at present, but many in the City hope he will stand.

so cruelly tormented by the media last year about some entirely understandable lapses of concentration, has found a solution to his financial problems at GEC Marconi. On reflection, there is something so inevitable about Jonathan Aitken restoring his fortunes by logging things that kill people to corrupt Third World countries for use on their own people that one wonders why no one thought of it before.

But it sets me to pondering what other obvious career moves await the great and the good fallen on hard times. Peter Mandelson, in post-Millennium Dome disgrace, would make a perfect downmarket newspaper columnist. "The voice that every politician fears". Still, Geoffrey Robinson could become a tax consultant

to the cocaine cartels. But Lord Irvine, if banned from the law? Little William Hague? Sensible suggestions for them and their ilk, please. I may even publish the good ones.

Risk business

NATWEST has hired William Martin, a polyglot American and former head of global risk management at BZW, as director of group risk. NatWest bristles at my suggestion that it is picking up Barclays' leftovers. "Bill oversaw the transition to Credit Suisse First Boston, and he was doing that when this job came up," says a spokesman. Just one thing. If the two banks ever merge, then Martin will be back where he started. But as a risk manager, he should know all about that.

did not have much choice, because his employer, Lowe Bell, acts for the State of Brunei, which is not an account you want to lose, and... well, the link between the Sultan and Al Fayed temporarily evades me, but I am sure there is one.

Piers Pottinger. Hmm, which anecdote to choose. Anyone remember the little *pas de deux* he used to do at the City's annual charity concert? Wasn't it a pink ladies' swimming costume and plastic bath-cap? Synchronised swimming, to Ravel's *Bolero*? Once seen, never forgotten, at least not without lengthy psychiatric treatment. Better still, anyone got photos?



"Howdy - come to read your electricity meter"



Harris standing for one of the sheriff vacancies

Sits vac

YOU can imagine my delight at the news that Jonathan Aitken, who was

● I FEAR my old friend Tim Steer is causing trouble again. Steer, who by a circuitous route has reached Merrill Lynch as an analyst, is having a feud with Corporate Services. He is negative about the firm, which still seems to be doing rather well. And Steer has a new nickname at Corporate Services: Bum Steer.

● SIR RONNIE HAMPEL, the sculptor of corporate governance guidelines, received a little (£61,000) pat on the back from ICI for his own outstanding behaviour. He was unable to exercise share options while negotiating the purchase of Unilever's speciality chemicals, discussions that were a mite price sensitive. So ICI had to compensate him.

Potty trained

PIERS POTTINGER is to be the new Michael Cole, official mouthpiece of Mohamed Al Fayed. Presumably he

MARKETING

Holy Grail of sales and press coverage

The public relations industry is not known for giving straight answers. But even public relations officers find it difficult to explain away some recent figures that suggest the gulf between the perception and reality of a company performance is widening.

Figures due out this week from *The Presswatch Quarterly* will confirm Tesco as having the most favourable coverage of any company in the UK press throughout 1997. No surprises there.

What is astonishing is that Sainsbury's has risen to number three; a considerable achievement given that last year the group was near the bottom, having issued its third profits warning. Its ascent can, in part, be attributed to the successful launch of its bank in the third quarter. The favourable publicity of this affected the fourth quarter, putting it temporarily at the top of the table, before yielding to Tesco in the final analysis.

Perception and reality are clearly out of kilter here. Sainsbury's overall performance has improved, but not by that much. At 15 per cent share, Tesco is still the market leader by 17 percentage points, according to Taylor Nelson AGB. Sainsbury's PR machine has obviously been hard at work.

This brings to mind Virgin, another company skilled at PR. The image of the Branson empire portrayed in the tabloids does not accurately reflect its true state of health. Glowing reports, usually accompanied by a picture of Richard Branson, hide the somewhat fragile state of affairs that is gradually being disclosed in the financial pages. The Virgin PR machine is running so fast it is in danger of overtaking one of Branson's late-running trains. Seemingly, Virgin is failing to match its hyperbole.

Until an effective link can be found between PR and performance, then PR will continue to be less important than other marketing devices, such as advertising or sales promotion.

The situation has prompted the Public Relations Consultants Association to go on the PR offensive. It is holding seminars explaining the benefits of PR to senior clients. At the top of the agenda is the need for precise evaluation of campaigns and a uniform method of measurement. "Measurement is the hot topic,"

says Christopher Broadbent, chairman of Ansdell Group. "We'll never reach the heights to which we aspire until we have that particular issue ticked."

Reflecting industry concerns, *PR Week*, the trade magazine, has launched a campaign - Proof - urging PR companies and their clients to put aside 10 per cent of their budgets to pay for research to prove that PR campaigns are achieving their objectives. While companies are willing to pay large sums to research advertising campaigns they balk at paying similar amounts to assess the impact of their PR. Until this changes no one will be any the wiser about effectiveness.

"You've got to be able to do more than just weigh up the press cuttings," Stephen Farish, editor of *PR Week*, says. "The biggest problem the industry faces is not being able to find a link between press coverage and sales. It is, if you like, the Holy Grail."

At the end of the day are we able to read anything at all into PR performance figures? Sandra Maceod, managing director of Camra International, which analyses public relations media coverage, says it takes time for the perceived image of a company to match the commercial reality. Take Reuters, for example, two months ago it topped *Management Today's* table of the UK's most admired companies' survey. That rating will surely change as the full cost of its contrabands with Bloomberg becomes clear.

M's Maceod cites Tesco's position in 1993 as an example of how confusing PR can be. For a time the consumer and financial press told different stories. Tesco's products and services continued to gain plaudits in the consumer press, while the financial press was questioning the soundness of its management and strategy. Eventually, the investment community became disenchanted and Tesco's share price plummeted.

Five years on and Tesco is in the remarkable position in having both the most successful PR and market leadership: a fact that will doubtless be seized upon by the PR industry as proof that PR does indeed work.

JULIAN LEE

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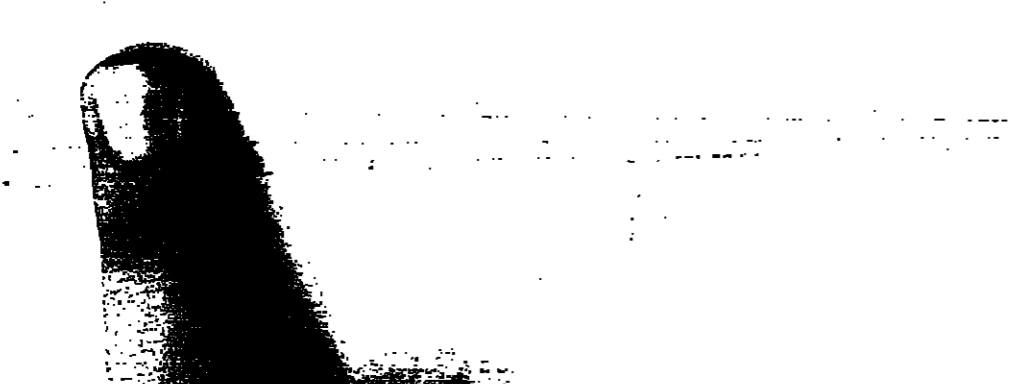
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Bank joint heavenly... Financial... a low profile...



Belief in business angels is growing despite the high-risk aspect to investments, says Rodney Hobson

Bank joins search for heavenly connections

Lloyds TSB has joined the list of sponsors bringing business angels and companies seeking equity funds together through the Local Investment Networking Company (Linc).

There are now four banks supporting the non-profit-making organisation. Midland, Barclays and Royal Bank of Scotland are long-standing supporters. Kingston Smith, the chartered accountancy firm, is also a sponsor. NatWest Bank has its own business angels scheme. NatWest Angels Services.

Linc was set up in 1987 to match private investors with companies seeking equity funding of between £10,000 and £250,000 for business growth. Currently it has nearly 400 registered investors on its database, with more than £100 million available for investment. Last year it achieved 42 matches involving £5 million of equity.

Lloyds has been referring suitable companies to Linc from its branches. Last year the bank produced a guide to private finance and business angels to answer the myths



Susan Krantz says the "angels" concept is gaining strength

that it felt were discouraging companies from seeking equity investment. The response from customers prompted Lloyds to back Linc formally.

John Spence, managing director of business banking at Lloyds TSB, said: "Research we commissioned privately shows that as many as one in ten small businesses has considered private finance, but of these, two thirds take it no further."

"Business angels are an

important but underused source of skills and funding," Susan Krantz, Linc general manager, said. "The investments are high risk, but you could become a significant shareholder in a growth business with the opportunity of achieving high rates of return and also have some fun and satisfaction helping a business to grow. It should appeal to entrepreneurial types."

"The business angels concept is gaining in strength."

When you consider that very few marriages are made in heaven, the success rate of the matches we have facilitated is excellent.

Linc organises meetings around the country at which four to six companies each make a 25-minute pitch before 20 to 30 potential investors. Time is left at the end of the meeting for an informal chat.

The next meeting will be held at Kingston Smith's London office on March 12. In addition, several commercial organisations including Venture Capital Report match business angels with companies.

David Beer, a former director of BZW, set up Beer and Partners as private equity investors at Dorking, Surrey, three years ago. In 1995 it managed just four deals, but the total rose to 11 in 1996 and to 18 companies attracting investment capital of £4.2 million last year. Mr Beer believes that there is an enormous untapped market. Deals averaged £277,000 per company, but they varied from £19,000 for a wine retailer to more than £1 million for an outdoor display system. Among businesses supported were software companies, a kit car manufacturer, an arts centre and a window-cleaning company.

Mr Beer said: "Almost any company that demonstrates that it understands its business, and what a private investor can add, can raise venture capital provided the business is presented in the right way."

"This is not a market for amateurs, but for those with both a wide contact base and the experience to identify what an investor is looking for."

Linc claims that more investors and fledgling companies report back that deals have been mutually beneficial than was the case only three years ago and that in 62 per cent of cases funds are handed over within a month of the first meeting between the two parties.

Financial backers keep a low profile on deals

NO ONE knows how many business angels there are, since many deals are done on an informal basis (Rodney Hobson writes).

The British Venture Capital Association (BVCA) estimates that there are about 5,600 angels registered with various networking groups, while the Bank of England suggests that the total, including those who do not register, could be as high as 18,000. Other guesses range up to 80,000. Research indi-

cates that about 60 per cent of angels are found through family and friends.

Nor is it known how much the angels invest each year. The BVCA reckons 373 of the networked angels put up £19 million in the 12 months to June last year. It is possible that angels have staked about £500 million in more than 3,000 businesses.

There could be between another £2 billion and £4 billion available if angels can be persuaded to invest. David Harvey, secretary

to the Association of Chartered Certified Accountants' small business committee, says: "The environment for fundraising, especially for smaller companies, continues to be testing, and enterprises looking for between £20,000 and £150,000 have the toughest time."

"Finding an angel is easier said than done. Most business angels value their privacy. No one wants every Tom, Dick or Harry with a half-baked business proposition knocking at the door."



Richard Whiteley, general manager of Lo Tec Pieman, left, with Toby Cardew, designer of the portable workbench

From hippy to DIY inventor

I wasn't very good at being a hippy," says Toby Cardew. "I was too industrious."

Taking to the open road in a caravan was just one chapter in a highly varied career that led him, ultimately, to manufacture an ingenious device for do-it-yourself enthusiasts.

Mr Cardew recalls his career path, saying: "I was running a group of restaurants in London and working 110 hours a week. One day I was out walking when I met a chap who told me to get out of London before it killed me. So I baled out and went on the road with hippies in a caravan."

When being idle palled, Mr Cardew went to design college and learnt how to make furniture. He admits: "I was very slow. I spent longer trying to hold the piece of wood down than I did actually working on it. It occurred to me that, since no one pays you for holding something, anything that cuts out that wasted time goes straight

to the bottom line." Mr Cardew set about inventing a portable, vacuum-powered workbench that would grip wood, glass, ceramics and other materials. It proved to be more flexible and easier to use than the traditional vice or clamp.

He negotiated with Black & Decker, which was interested in the idea, but he finally decided he did not want his invention to go out on the market with someone else's brand name on it.

Mr Cardew was living in the Wiltshire village of Newton Tony. He says: "I raised money from relatives. Everybody in the village I owe money to."

Crucially, he also raised capital for his company, Lo Tec Pieman, from Lloyds Bank and Linc, which introduced him to Martin Crowe, a business angel. Lloyds lent £20,000 through a debenture, while Mr Crowe invested £15,000 last November. Venture capitalists offered larger investments, but that would have meant Mr Cardew losing control of the business.

Mr Crowe says: "I saw this device at a Linc presentation day in Swindon. For me it had what I would call a very big 'wow' factor. I think it has tremendous potential and we very quickly came to an agreement for me to invest some equity."

He was so keen, in fact, that he goes out on the road to shows and exhibitions demonstrating the product. This month Mr Crowe will be at a trade fair in Nuremberg.

The original invention costs £450, but Mr Cardew has produced a smaller version selling at £89 and working off the power of a vacuum cleaner. Export markets have been won in the US, Scandinavia and Australia and negotiations are taking place to grant a licence to an American manufacturer.

Mr Cardew says: "It has been something of a rollercoaster ride, but potentially we have a very successful business. I am still living in the caravan, next to the workshop."

Small businesses are worried that plans by Gordon Brown, the Chancellor, to make employers pay welfare benefits through the wage packet will place an insupportable administrative and financial burden on small employers, according to the Federation of Small Businesses. The federation will hold its first national exhibition at Wembley Exhibition Centre, London, from Thursday to Saturday.

More than 30 case studies of small companies that have used information technology to expand are included in *Demonstrating the Benefits*, a free booklet from the Information Society Initiative (ISI), a partnership between business and the DTI. For a copy or for other leaflets produced by the ISI, call 0345 152000.

Local business partnerships have now been established by more than 100 councils, and another 100 are considering doing so, Peter Kilfoyle, the Public Service Minister, told the local business partnership annual conference at Canary Wharf, London.

More than 55 per cent of 500 small companies surveyed for Business Pages had little or no training to help their businesses to grow, and 63 per cent thought that the seminars and courses available were unhelpful. Half felt that the cost of training outweighed the benefits. When asked what training they lacked, 38 per cent singled out information technology, while 30 per cent wanted instruction on legal issues.

The facilities management exhibition and conference FME expo will be held at Olympia, London, on April 21-23. The official exhibition of the British Institute of Facilities Management, it is organised by Miller Freeman, the exhibition organiser, and Quadrillect, the conference organiser.

"It looks like both my computer and I will celebrate the millennium with a breakdown!"



Deirdre Nicholls hopes to see Celtic Silks achieve turnover of £100,000 next year

Gifts firm prospers with Celtic flair

Fifteen years ago Deirdre Nicholls sold an old car for £250 and, with the encouragement of her husband, David, bought a mill and a collection of dyes. In the hand-painted scarves she subsequently produced on her kitchen table the origins of Celtic Silks, a business she launched in 1994.

The firm produces a range of goods, made either of silk or silk and cashmere or leather, with a silk lining. They include throws for putting over chairs and beds (retailing at about £50), cummerbunds, waistcoats for men, personal organisers, jewellery holders and credit card cases.

"Celtic Silks is aimed at the luxury end of the market and increasingly at corporate clients who want high-quality gifts tailored to reflect their own image," says Mrs Nicholls, who last year won the small business section in the annual European Women of Achievement Awards. The awards are run by the European Union of Women.

Although Celtic Silks has space at the showroom of the Scottish Textile Association in Portland Place, London, its offices are near Dumfries, Tayside, where Mrs Nicholls is designer, typist, coffee-maker, contract-maker, packer and researcher. A part-time helper may soon become full-time because turnover has grown fivefold from £12,000 in the first year. There

she believed would blend perfectly with City boardrooms. There were 500 people wearing the tartan at a dinner and dance on the final evening of the conference. Subsequently, Coopers & Lybrand produced a mail order catalogue of her tartan gifts - which included laptop cases, shoulder bags, scarves and dance sashes - for their own staff. Orders come in from all over the world.

"My policy is to work with blue chip companies, which is a hard line to follow when you have to turn down other orders," she says. "But the biggest mistake I made was to do small runs for small companies. It wasted a lot of time and energy and usually left me with a number of goods on my shelves because I had to ask the manufacturer to do a decent-sized run in the first place."

As usual Mrs Nicholls attended the Glasgow Trade Fair last month, October's Highland Trade Fair is her other main trade outlet. Made in Scotland, a marketing agency for Scottish gift, craft and textile companies - the organiser for both fairs - has put her in contact with a number of clients.

Mrs Nicholls says: "Last year when Coopers & Lybrand was holding their European Partners conference in Edinburgh I was asked to make a range of tartan gifts for presents. They had considered using the Black Watch tartan, but I suggested they should have their own. After all, a big corporation is like a big clan. It is unified by one common purpose."

After weeks of research she came up with a subdued green and blue pattern, a design that

Christian Dymond on a journey from kitchen table to corporate clients

are hopes of hitting £100,000 next year. The firm does not make the goods itself. Mrs Nicholls designs the products and then finds the right manufacturer to complete them, specifying the detail very carefully. She has made silk ties for Walkers Shortbread, produced tartan gifts for the shop at the Palace of Holyroodhouse, in Edinburgh, and created a tartan for Coopers & Lybrand, the huge accountancy firm.

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Soho's famous jazz club has bounced back with new vigour after Ronnie Scott's death. Clive Davis meets the man in charge, Pete King

King who wears the Scott crown

Life goes on. Upstairs, in the deserted club, the Billy Cobham band are rehearsing a number. Downstairs, in the tiny musicians' bar, Pete King sits at a table beneath portraits of his old friend, Ronnie Scott.

At the front door the phone line is already busy with callers making bookings for a band that is not appearing until July. The Notting Hillbillies are not the kind of act you expect to see on the bandstand that has been graced by Stan Getz, Sonny Rollins and Ella Fitzgerald. Sometimes, though, a proprietor has to think about the bottom line.

The club is certain to be packed for the two weeks that Mark Knopfler and his fellow rockers are due to play here. King's accountants — who presumably possess a handsome set of stomach ulcers — will be well pleased. Yet King, a laconic East Ender, is too blunt and independent a character to gush over music that does not particularly interest him.

He is much more interested in discussing the Count Basie Orchestra, who open at the club tonight for their first Soho residency in 22 years. Then there is the Mingus Big Band to look forward to in June, not to mention, at the end of this month, the young Canadian singer-pianist Diana Krall, the hottest new act in jazz.

What this all adds up to is that, just over a year after Ronnie Scott's death, the club that bears his name is beginning to buzz again. Although regulars may not have voiced their feelings before, there was an undeniable sense of stagnation about the programming in the last few years.

Scott's self-deprecating master-of-ceremonies banter had never changed ("We'd like you to eat, drink and enjoy yourselves. Pretend you're on the *Titanic*"). But it

was still funny, even on the hundredth hearing. The music, on the other hand, was losing its freshness. The same acts seemed to be coming round month after month, and you could almost set your watch by the Forthcoming Attractions handbill displayed by the entrance.

Some of the familiar names are still there — the virtuoso Cuban big band trakerer will be back in May, for instance — but the recent appearance of the charismatic saxophonist Manu Dibango was another sign that the club had rediscovered its sense of adventure.

If Scott was the wise-cracking frontman and tenor player, then King, the saxophonist he first befriended in the dance band era half a century ago, was the man who took care of business. And King — who long ago gave up the saxophone to concentrate on management — is the first to admit that he had to some extent slipped on to automatic pilot.

"When you've been in financial difficulties, as we've been in the past," he says, "you find a nucleus of people that you can depend on, so that you won't have to keep looking over your shoulder to make sure the audience is there. And, frankly, I'd rather played them to death."

"I was completely wiped out by Ronnie's death. But although a lot of people said 'Oh, what's going to happen to the club?' I never had any doubt that we would carry on. The thing was, even though I'd had the main say in running the place, I really felt I had to prove myself."

King and Scott opened their first establishment in nearby Gerrard Street in 1959, hoping to establish a modest base for local players. That the club — which moved to its more spacious Frith Street premises in 1965 — is still doing business at all is something of a miracle.

I never had any doubt that we would carry on



Now booking: proprietor Pete King, outside the Frith Street club, agrees that in the past few years Ronnie Scott's has relied on the same old crowd-pleasers — but no more

Although the Musicians' Union has been a regular financial supporter, the venture has survived without state subsidies. King still smiles at the memory of the occasion, 30-odd years ago, when he and Scott paid a visit to the Arts Council's offices, seeking help for the move to Frith Street. When a busy apparachnik finally breezed into the room and opened the meeting with: "Now then, about this Bonny Scott's Club..." Scott and King took their cue to depart.

Unpretentiousness and lack of deference has become part of the venue's ethos. Complaints about rudeness at the door have certainly

been justified at times. But at least there is no fawning over VIPs. The notoriously stiff-necked Wynton Marsalis was once turned away because he had failed to complete an engagement with the Jazz Messengers the previous year. When the extravagant soul singer Isaac Hayes turned up at the door wearing a huge fur hat, Scott quipped: "When has puppets, the joke and turned on his heels."

Being based in the West End, with all its attendant overheads, may have restricted King's room for manoeuvre on the booking front. The noisy business parties

remain a nuisance, and you are unlikely to see the latest allegedly cutting edge band from, say, New York's Knitting Factory. The support acts — mainly young newcomers — can lack personality too.

King, who knew so many outrageous characters in the old days, concedes that there is a definite lack of eccentrics. "The young guys take their saxophones out and play all over the place, but they don't leave any spaces in the music. There isn't the sitting in with other bands that we used to experience. Guys want to play their own

material, too, and a lot of it is pure crap."

Still, it is hard to think of a live venue with as much ambience or as good a sound system. And with the notable exception of the newly renovated Pizza Express Jazz Club, none of its rivals has mounted much of a challenge. The much-vaunted Jazz Café in Camden Town still looks like a high-tech gent's urinal and — under the Mean Fiddler's management — has further reduced its jazz programming. Another contender, the Rhythmia, started promisingly but went bust.

So King soldiers on, a year away from his 70th birthday and ten

years after a major heart attack. He leads a quiet life in Elstree, with Radios 3 and 4 filling much of his free time.

He has Tuesdays and Thursdays off; otherwise he is at his station by mid-morning, not leaving until about 1.30am. Jimmy Walker, high-living Mayor of New York in the Roaring Twenties, once remarked that no civilised man goes to bed on the same day that he wakes up. Pete King is doing his bit for civilisation.

The Count Basie Orchestra performs at Ronnie Scott's Club (0171-591 040) until March 16. Diana Krall plays for one week from March 30.

BUILDING A LIBRARY

A guide to the best available recordings, in conjunction with BBC Radio 3

HANDEL'S ORGAN CONCERTOS
Reviewed by Jonathan Freeman-Aitwood

HANDEL wrote and performed organ concertos as an oddity to attract audiences to his new-fangled oratorios of the mid-1730s. Until well into his blindness, where his playing depended on "his memory uncommonly retentive", Handel continued to furnish these theatrical proceedings with virtuoso keyboard interludes. Twelve of the 16 surviving works appeared in contemporary published sets as Opus 4 and the posthumous Opus 7.

Approaches to recorded performances range from the essentially gothic dimensions of Karl Richter in the 1950s to "period" performances which capture the intimacy of a chamber organ conversing pluckily with a small band of strings.

Of the older readings, Lionel Rogg (on EMI, from 1974) and George Malcolm (Decca, 1972) both have something distinctive to say. Rogg, the better organist, ravishes with his acute feeling for rhythmic nuance, yet is badly let down by a poor orchestra. Malcolm has a robust orchestral backing from the Academy of St Martin-in-the-Fields and plays with extraordinary vitality, even if the Op 7 concertos fail to live up to the earlier collection.

Ultimately, it is the new generation of Bob Van Asperen, Ton Koopman and Paul Nicholson who most successfully blend refined 18th-century concertos with the appropriate improvisatory spirit needed to flesh out Handel's skeletal instructions. Van Asperen (on Virgin, 1996) is a fine keyboardist but breaks up the natural line and overgilds the lily with fussy, self-conscious decoration. Nicholson's recent recording from Hyperion is honest and true, if not exactly charismatic, and it radiates a disarming warmth and naturalness. Simon Preston's ubiquitous version (Archiv, 1982-83) is distinguished by the spirited and ruddy-faced English Concert, though the organ is often sour-sounding and Preston rarely lets the moment catch him.

Ton Koopman's reading from 1986 (Erato 4509-91932-2, £14.99) provides a practically ideal fusion of mesmeric energy, alert exchanges between organ and orchestra and a truly Handelian sense of immediacy, realised in well-judged tempi and spontaneous improvisation. The organ is sweet-toned and never obtrusive, despite a noticeable mechanical hum emanating from the diapragm of the beast.

The Amsterdam Baroque Orchestra can seem lightweight at times but the soft-grained texture is an ideal foil to the quixotic and uplifting Koopman.

To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SCO881, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk

Next Saturday on Radio 3 (9am): Verdi's *La traviata*

Cuba comes to town

The cheekiest cabaret in the world is coming to London, bringing with it echoes from a more glamorous age. If you lived large in the Fifties you hung out under the stars at Club Tropicana, Havana, Cuba. The place, as they say, was smoking. Capone, Hemingway, Rocky Marciano, Cuban *politicos* and Yankee Mafia pulled up in Plymouths and Pontiacs with exotic licence in mind: roulette-rooms, chorus-girls, daiquiri, mambo and rumba.

The shows were unforgettable. Josephine Baker, Carmen Miranda, Nat King Cole, Rita Montaner, Celia Cruz, Marlene Dietrich and Pedro Vargas sang. A big-band orchestra played the popular moves (*cha-cha-cha* and *guaguancó*). Good seats were \$100, and virtuosos performed ballet, Chaplinesque comedy, *zarzuela*, pantomime and acrobatics.

The showgirls were stupendous. *Modelos* (models) and *figurantes* (dancers) shimmied through the 1,000-seat open-air theatre — the "Salon Under the Stars" — creating a fantasia of ostrich feathers, fishnet stockings, sequinned thongs and rhinestone headwraps. Brenda and Sicaudi, a famous pair of movers, were billed as "The Most Audacious Dancers in the World". Groups flew in from Miami for overnight specials on the Tropicana plane. Every night was considered the "apotheosis of delirium".

Those days may have gone, but Tropicana has survived dictatorship, revolution,



Some cheek: a Club Tropicana showgirl struts her stuff

the war its new "Lefty Clark" casino, with hidden doors and poker pits, emerged as a major international betting centre.

By 1970, however, it was languishing — nationalised, overlooked and devoid of its old charm. Then a new artistic director, Joaquín Condall, pledged to revive the legend. He was determined to present an epic show and scoured Havana for beautiful models. The result was a Roman spectacle, complete with gladiators and lions. With a new school of dance and an enhanced reputation, Club Tropicana went on to play in Monte Carlo and New York.

This year's two-hour show will transform the Albert Hall. "The dancers come from every direction," says Harvey Goldsmith, the tour promoter. "They come up through the floor, they come across the stage, they dance through the audience. Bringing them over was the ultimate challenge."

"It's raunchy, exotic, with great-looking people," says Santiago Alfonso, the artistic director who has been with Tropicana since 1964. "Cuba has a sexy culture. It's our music, our rhythm, the language, the colour, the quality of our light."

Alfonso says his troupe of 89 dancers — "A company, number-one company dancers" — are world-class through constant training. "My company works 12 hours a day," he says. "They say negroes are very alive to dance. They say we have a very special sense of rhythm. But everyone can dance. Instead, I choose talent. Black, white, blond or *mulato*, it doesn't matter."

Tomorrow the Victorian dome will be host to an environment unlike anything it has seen before. Full up a few and spark the *Cohiba*. It's 1968. You're a goodfella once again.

Club Tropicana is at the Albert Hall from tomorrow until Sunday (0171-599 8212)

Hooked by the crooks

The impact of Dublin's economic boom on the capital's criminal underworld is at the heart of Declan Hughes's pulpish gothic, *Twenty Grand*. As new money washes through the city, a little gang of hoodlums gathered around Frank "Sinatra" Hackett (Liam Carey) are determined to scoop up a share.

The smart ones, such as Hackett and his protégé, Tommy Dalton (Anthony Brophy), are determined to turn into legitimate businessmen, using the property boom to bury their cut from various kidnaps, robberies and drug deals. The dumb ones, such as Hackett's son, Dino (Karl Shiels), or the ageing, balding heavy "Kenzo" Armstrong (Mick Nolan) look more likely to get washed away in the coming flood.

With Hackett going straight, there is a vacancy at the top. The next in line might be his brutal "psychopath of the week" special reserve winner son, but the boss favours Dalton, a man plausible enough to dine merchant bankers and smart enough to get the better of them.

Promising to ensure that the transition period will be a

A class act still at school

If she can find the time between selling millions of records and keeping up with her schoolwork, LeAnn Rimes plans to write her autobiography. Since she is only 15, that news may sound alarm bells about another case of a young life derailed by fame. But if ever there was an old head on young shoulders, it is Rimes's.

Besides which, if you had gone through the couple of years she has, you might want to jot down the details somewhere. She has sold some 11 million albums in America, won three Grammys, written a children's book, starred in a TV movie based on her life and, in 1997, generated \$96.3 million in record sales and concert receipts, second only to the Rolling Stones.

Last week Rimes experienced a rare disappointment when her version of the Diane Warren song *How Do I Live* was pipped to the Best Female

fortunate exception of the sly female character, Hackett's daughter, Karen (Ashley Crowley). Hughes has created a gang of hugely entertaining, lying, thieving double-crossing cut-throats. Dialogue, particularly from Carey's dapper single-malt-sipping overlord, crackles with foul-mouthed, sharp-as-a-Stanley-knife wit. In particular, Hackett's meticulous description of the missing one of his gang, delivered as though it were just another old pub anecdote, is monstrously beguiling.

As Dalton, Brophy is less flashy, as befits a man who thinks faster than he talks, but equally fluid. Shiels's hairy-lipped Dino is dumb in the smartest possible manner. Everything about the characterisation rings, if not true, then entirely captivating, in a homicidal way.

Hughes's play comes an only partially disguised fascination with hard-boiled Dublin, and director Corral Morrison's cast seems to share that illegitimate pleasure. It should not be so, but it is impossible not to enjoy a sense of people having fun on stage.

LUKE CLANCY

Country Vocal Grammy by Trisha Yearwood's rival recording. By way of consolation, Rimes's rendition is reportedly the best-selling country single ever — and her first substantial UK hit.

In what read like a thankless proposition, she was booked last Thursday to play a concert in Nashville for delegates at the 29th annual Country Radio Seminar, with her Curb Records labelmate Hal Ketchum. The venue was the venerable and elegant Ryman Auditorium, a stage graced in its time by everyone from Anna Pavlova to Mae West.

Ketchum, with four distinguished albums to his name and another soon to arrive,

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From O

An empire in miniature

LUKE CLANCY

PAUL SEXTON

From one old master to another

Two new shows prove that Anthony Caro is finding fresh inspiration in the past. Richard Cork reports

Even the most rebellious of modern artists turn out, more often than not, to be preoccupied with the masters of the past. Nobody was more fascinated by tradition than Picasso, who flouted it all the time. His late variations on paintings by Delacroix, Manet and Velazquez are only the most conspicuous examples of a lifelong, rivalrous obsession with the artists who excited his keenest admiration.

Anthony Caro shows every sign, as old age approaches, of developing a similar urge. Over the past decade his involvement with Rembrandt, Manet, Goya, Mantegna and Matisse has taken the form of elaborate, deeply felt homages to particular paintings. Now, in the first sculpture exhibition ever held at the National Gallery, they have been brought together and supplemented by a new series responding to Van Gogh's painting of his own chair.

Along with a show of Caro's other recent work at Annelly Juda Fine Art, it provides overwhelming evidence of a sculptor in a marvellous state of ferment. Far from slowing down or rehashing stale formulae, he thrives on reinventing himself. As his 74th birthday approaches, he never stops taking on challenges and extending his range.

How can an abstract sculptor respond to figurative paintings without robbing them of human emotion? This is the central question posed by Caro's National Gallery exhibition, and the answer is bound up with realising how supple and organic his form-language has become. In the 1960s, when his work was at its most lean, angular and machine-like, he wisely stayed clear of variations on the Old Masters. By 1967, though, Caro was ready to make a large *Table Piece* based on Mantegna's *The Triumph of Caesar* cycle at Hampton Court. Restricting himself to wadded steel, he produced a cold yet crisply energetic summation of the procession moving through Mantegna's awesome canvases. Trumpets, spears and trophies scythe through the sculpture, giving it a tense, combative dynamism. By draining Mantegna's ceremonial parade of its sensuous colour, though, Caro emphasises mournfulness rather than militancy.

Between 1944 and 1946, Caro served in the Fleet Air Arm of the Royal Navy. On the evidence of this exhibition it left him with an abiding abhorrence of war. There is nothing victorious about his meditation on Caesar's conquests. Instead, the threat of mortality hangs over the entire sculpture, with its gaunt emphasis on fragmentation. Succeeding works confirm that Caro has transformed himself in the 1990s into a tragic artist. His new-found determination to confront death be-

comes overt in a tall brass and bronze work inspired by Rembrandt's *Descent from the Cross*. The girder-like elements in his earlier work are retained, especially in the cross's armature and the tough diagonal beam replacing the ladder in Rembrandt's painting. But they are welded to other, more corporeal forms dangling from the top of the cross and leaning profusely towards the centre. A remarkably powerful pathos is conveyed, not least by the exposure of white metal falling towards the base. In Rembrandt's picture it is a sheet, taut and straining from the weight of Christ's limp, ungainly corpse. In Caro's sculpture the whiteness almost becomes an emanation from the dead man, sliding earthwards and yet transformed by light.

Despite this luminosity, the attendant forms seem powerless to arrest his downward trajectory. They appear hunched and despondent, and the chair standing so in-

Caro has transformed himself in the 1990s into a tragic artist

pectedly on the side stresses the weariness of figures whose stamina has been undermined by grief. Its presence here may help to explain why, seven years later, Caro settled on Van Gogh's *Chair* as the focus for his most recent series of homages to a painter from the past.

In his *Descent from the Cross* a religious response to Christ's martyrdom, or a more secular meditation on the transience and final frailty of life? Caro leaves the question open, but the overall mood of both his exhibitions suggests that he has entered into a late period overshadowed by the prospect of the grave.

In one sculpture, he has been affected by outside events. The internecine conflict in Bosnia, and the harrowing images it spawned on television, provoked him into making a large steel sculpture called *Act of War*. The starting-point this time was Goya's lacerating *The Third of May, 1808*, at Madrid, where a brutal, impersonal phalanx of soldiers level their rifles at an anguished group dominated by an imploring young man. His white shirt and upraised arms are reminiscent of the crucified Christ, but he is difficult to discern in Caro's sculpture. So are his kneeling companions. The only recognisable forms are the horizontal shafts of the executioners' weapons, which now seem to project from

armoured bulks rather than soldiers' bodies.

Act of War looks, in fact, more like the stunted aftermath of a shooting. Shards of rusted metal stand marooned and forlorn on the steel base, or project so far beyond its edge that they arch downwards in defeat. It is the sturdiest, most relentless sculpture Caro has yet produced, and its funereal stillness made me wonder if anyone was left alive in the wake of the extermination he seeks to avenger. Never before an openly political artist, he has proved himself capable here of cold, polemical anger.

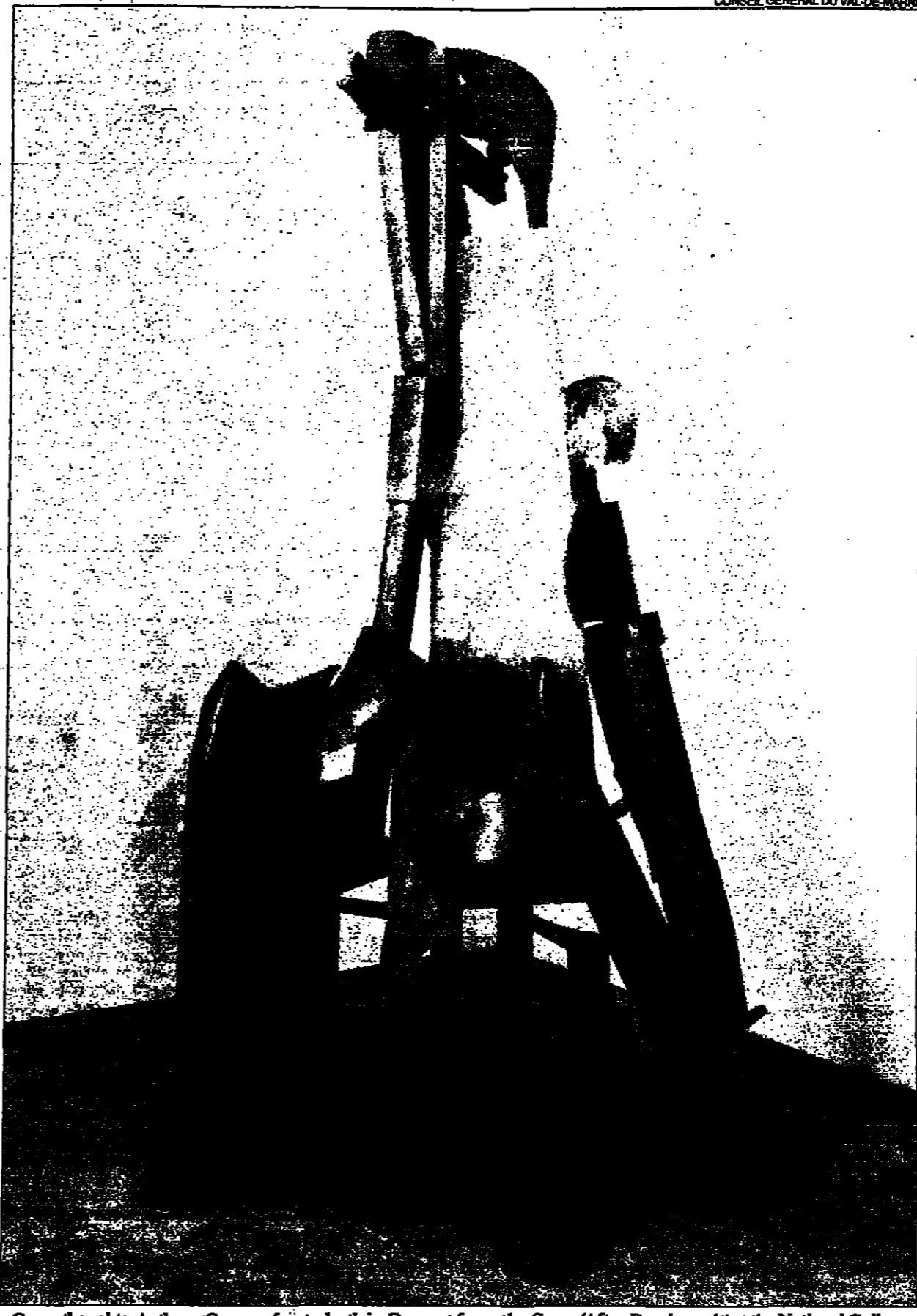
The more beguiling and hedonistic side of his work is only represented by *Table Piece*, "Dark Wood Beach", where his springboard was Matisse's seminal 1907 painting *Blue Nude*. It is an erotic idyll, rejoicing in the shell-like curves of breasts, hip and buttock as they shelter under the pain froods erupting so ecstatically above. They seem far more liberated than the foliage in Matisse's painting.

But the most recent works in the National Gallery show, all based on Van Gogh's *Chair*, return to sobriety and compression. The only painting from the collection displayed in this survey, it looks far greener and more acidic juxtaposed with Caro's sculpture. "I looked for a work with a sturdy block at its centre," Caro has explained; and in at least two of his versions a robust stoneware monolith, akin to a detail from Stonehenge, stands firmly within a rusted steel framework. The feeling of containment is strong, even though Caro has introduced a certain instability by echoing the steep tilt of Van Gogh's paved floor.

But in another version, *Chair IV*, the stoneware seat has collapsed. As if crushed by an insupportable weight, it sags and compresses the legs beneath into an elephantine fatness. The room's walls and door, so upright in Van Gogh's painting, seem about to fall on the abject, pummeled chair they ought to be protecting. It is a claustrophobic sculpture, charged with Caro's awareness of disintegration.

Van Gogh himself was fascinated by Luke Fildes's drawing, illustrated in *Graphic* magazine, of the chair in Charles Dickens's study left empty by the novelist's death. But whatever he may have intended to symbolise by painting his own yellow chair, vacant except for a pipe and tobacco, Van Gogh left its structure firm. Caro's *Chair IV*, by contrast, seems battered and broken. It is the work of an artist who, nearly 40 years older than Van Gogh was in 1888, has more first-hand knowledge about the fragility which overtakes us all.

There is nothing terminal about Caro's two exhibitions, though. They are a double-



Grave thoughts: Anthony Caro confronts death in *Descent from the Cross* (After Rembrandt) at the National Gallery

barrelled blast of sculptural vitality, and the proliferation of small "book" pieces ranged on Annelly Juda's shelves show him at his most irresistible. Thriving on an interplay between war, bread-like lumps of stoneware and wriggling, thrusting, puncturing steel, they testify to the fertility of his inventiveness. If Caro continues to perform with as much acrobatic zest as he displays here, his late period will be prodigious and full of surprises.

Anthony Caro is at Annelly Juda (0171-629 7578) until April 18, and at the National Gallery (0171-639 3321) until May 4.

AROUND THE GALLERIES

SOME prejudices are hard to eradicate. An artist who finds fullest expression in the print rather than in painting or sculpture is condemned to minor status. Confronted with the oeuvre of John Copley (1875-1950) it is impossible to justify that. Of course Copley painted as well as making etchings and lithographs, and the paintings are good of their kind. But it was only with the print that he felt able to cut loose from conventional moorings and go steering away into his own private world, his own extraordinary vision.

Early in his career the favoured medium was the lithograph, but in the last decade of his life he turned almost exclusively to the etching, and it is to the etchings that the new show at the Fine Art Society is confined. Very strange the results are: curiously elongated figures, contorted into strange poses more suggestive of Egon Schiele than anything in British art, and weirdly truncated by the edges of the composition. Occasionally there is a touch of satire, as in *French Songs of 1946*, but works such as *Figures in the Wind* (1940) or *The Apple Tree* (1950) are just hauntingly peculiar.

Fine Art Society, 148 New Bond Street, W1 (0171-629 5116). Mon-Fri 9.30am-5.30pm, until March 27.

THE curse on prints-only continues to afflict even highly contemporary artists - Matthias Mannes, currently on show at Alan Cristea, perhaps less than most. But even he, reasonably well-known abroad, is not really known at all in Britain. As far as the outside world knows, he has never made paintings or sculptures: everything he has shown takes the form of very large coloured wood cuts.

The prints in his cycle *Das Haus* consist of large, simple shapes, human beings and furniture primarily, loosely arranged on great swaths of white paper, sometimes steering clear of one another, sometimes overlaid. The textures of the wood are visible and give the work its abstract/representational ambiguity. The prints are monumental rather than domestic, and on that level they remain impressive, not least for their extraordinary technical skill.

Alan Cristea Gallery, 31 Cork Street, W1 (0171-439 1866). Mon-Fri 10am-5.30pm, Sat 10am-1pm, until March 14.

JOHN RUSSELL TAYLOR

An empire in miniature

London can enjoy a double helping of dazzling Islamic and Indian treasures, says Isabel Carlisle

London currently has two exhibitions of rarely shown and exceptionally fine Islamic and Indian miniature paintings and drawings. Works from the collection of Prince and Princess Sadruddin Aga Khan are on loan to the British Museum, while Indar Pasricha Fine Arts has been allowed to borrow the cream of the Mogul paintings from the British Library in memory of the Indian scholar Toby Falk. This is the first time that a private gallery has shown works from a national collection.

There is an overwhelming amount of information alongside the paintings to help Western visitors to get a grip on the scenes shown and their dauntingly complex history of names, dates and dynasties. My advice is to absorb the bare minimum and use the time in the gallery looking at the art, not the labels.

The breadth of the Sadruddin collection shows that miniature painting was an art form that lasted from the early 14th century in Mongol Iran to the early 20th century in Nathdwara, India. But it was confined to a few centres of production, and the works were made to be seen only by their owners and close companions. The painted

sheets of paper were taken out of their folders and passed around when the story that they illustrated was being told or, more privately, at moments of high passion or religious contemplation. In most cases the artists who worked in the court ateliers from Tabriz to Agra were anonymous, and in any case they painted as a team, combining a wide range of artistic traditions. The early 15th-century drawing in ink on paper from Iran (in the Sadruddin Collection) that shows a lion growing up at two monkeys perched in a tree is a rich mixture of styles. The ancestors of the artist were Mongols who arrived with Genghis Khan in the 1220s, whose descendants in their turn were influenced by Chinese scroll painting, Byzantine and Armenian book illustration and native Iranian art. Delicately calligraphic, each leaf and ear of grass is drawn in, the tree bark knotted, the lion sleek, while the swirling outlines of the rocks are essentially Chinese.



Colour key: hot saffron provides the background to the Sadruddin collection's *Kausa Ragaputra* from 1700

as a meditative exercise, prompting sensations of places, times of day and states of mind. The significance of the scene lies not so much in the superficial narrative but in what it symbolises. In the Sadruddin's *Pahari Princess Smoking a Hookah*, the pensive woman pauses on a garden terrace in front of an intense vermilion curtain. Her loneliness embodies the idea of separation of Radha from Krishna in Hindu mythology, but we don't need to know that to feel that this is a moment of intense longing.

Colour provides the most direct route into Indian painting, whether it is the hot saffron yellow in the flat background of the *Pahari Kausa Ragaputra* of 1700 in the Sadruddin Collection, or the cool green and blue distances of the view over the Ganges in the British Library portrait of 1764 from Patna of an Indian lady named *Muttubby*.

However, it is Mogul art that remains the most exquisite and the most profound, the most inviting and the most elusive. A sheet from the British Library in the imperial style of the 17th-century Emperor Shah Jehan shows *A Mughal noble on hawking*. Dressed in a brown *jama* he rides alone through a dreamlike landscape of exceptional greenness, as wild ducks fly down to a pond, looking straight ahead with his hawk on his upraised right arm. The artist has clearly been influenced by European landscape painting but the figure is quintessentially Indian, absorbed by an inner world. When the beauty of the paintings is set aside it is that other world, both mysterious and alluring, which continues to fascinate.

The Sadruddin collection is at the British Museum (0171-639 1855) until April 13. The Mogul Paintings from the British Library are at Indar Pasricha Fine Arts, 22 Connaught Street, London W2 (0171-724 9541) until Saturday.

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Table with columns for OPERA & BALLET, THEATRES, and COMEDY. Lists various theatre companies, shows, and contact information.

Table with columns for THEATRES, COMEDY, and DANCE. Lists various theatre companies, shows, and contact information.

Large advertisement for the Birmingham Theatre community, featuring the text '298,000 READERS OF THIS SECTION ATTEND THE THEATRE AT LEAST 2/3 TIMES A YEAR...' and contact details for listings.

Small advertisement for 'Skill time' featuring a portrait of a woman and promotional text.

LAW

● IN JAIL OVERSEAS 41
● LAW REPORT 45

Till adultery us do part

Your spouse promises not to cheat on you, but perhaps you should get that in writing. Chris Barton reports

The Government last week gave another boost to pre-nuptial contracts. Geoffrey Hoon, Parliamentary Secretary at the Lord Chancellor's Department, has announced that there are "significant advantages" to legally binding pre-marital contracts. His comments come at a time when adultery, particularly concerning political leaders in Britain and America, is very much in the public arena.

At the same time, the Family Law Act 1996 is poised to excise adultery, or "criminal conversation, as a ground for divorce. A combination of such reforms could well popularise American-style pre-nuptial contracts such as the one in which a couple agreed to tell each other when we have sex with other people."

Having sexual intercourse with someone other than one's spouse has not always been a ground for divorce. Before 1923 a wife also had to show that her husband's away days were incestuous, or at least bigamous. Since the liberal Sixties the law has required cuckolds of either gender only to say that they find it "intolerable" to live with their straying spouses. Yet under the system to be introduced next year of divorce by timetable, adultery will not be enough to break the knot.

and even the degree of "companionship" ("I thought that meant drinking with men in public houses"). Perhaps most satisfying has been the disillusioning of those confused philanderers who, despite knowing its legal definition, "pretend, however slight" — do not realise that they cannot rely on their own adultery to allow them to remarry — and perhaps to be unfaithful again.

Although adultery is to be made redundant as a ground for divorce (along with "unreasonable behaviour", desertion, two years' separation with consent and five years without), it remains a factor when the court considers ancillary financial relief.

Husbands whose adultery with "the woman named" is deemed to be more than usually morally odious may find themselves paying more, and some wives who have dallied with "correspondents" may receive less. This is because the Family Law Act 1996 has left broadly untouched the annual challenge to Law School examiners to produce tales of behaviour so appalling that the court will consider it "inequitable to disregard" them. (Male) judicial priorities may be demonstrated by contrasting the wife who had her share cut by a quarter for firing a shotgun at her husband, with the woman who was deemed as "impudent" for trying to hang on to a half share in the marital home which she had obtained while in the throes of an affair.

Not only is ancillary financial relief subject to such uncertainties as the weight to be attached to past conduct, it lacks even an abstract objective, let alone a formula. Mr Hoon's cautious encouragement of pre-nuptial contracts was further extended to an automatic equal division of property (on divorce) in the absence of such a contract.

In 1991, the Law Society's Family Law Committee was enthusiastic about pre-nuptial



A marriage is over: would the couple like to have considered a pre-nuptial agreement?

A recent survey confirmed that sexual duplicity is the main cause of divorce, and the change in law is unlikely to change that fact; nor is it likely to reduce the incidence of divorce. But will adultery's legal disuse further compound those definitional misunderstandings which have so enervated preliminary "matrimonial" interviews in solicitors' offices? These have reportedly included confusion as to the necessary *animus personae* ("only women over 50"), the hour ("I didn't think it was adultery during the daytime"), the position ("standing up doesn't count"), the frequency ("we did it only twice"), and the outcome ("she's not pregnant")

contracts, disingenuously suggesting not only that the parties be required to take separate advice at the outset, but that automatic reviews be triggered by childbirth or the onset of either permanent disability or a long period of unemployment.

Given that divorce awaits a degree of delegalisation under the Family Law Act 1996, and only 300,000 people experience it annually, lawyers may be forgiven for eyeing the 600,000 or so who still marry each year — particularly as some of them could

surely be counted on (with the right encouragement) to renege on their pre-marital arrangements.

The Government may be over-optimistic, anyway, in seeing such forward-planning contracts as a panacea for the travails, and the cost to legal aid, of contentious divorce settlements. They may be of value in the case of a short, child-free marriage when each party has an earning capacity, but the need to house and support children (and their mother) post-divorce is one of many circumstances in which such deals would quickly become untenable.

No pre-marital agreement, however legally watertight, could guarantee fidelity; non-compliance could, at least, trigger agreed penalty clauses in the financial settlement. More agreeably, an appropriately drafted contract can at least encourage attention to concomitant marital duty. One American model has the happy couple agreeing "to spend at least one evening a week together putting time and energy into realising sexual potential. An evening begins at 7pm."

The author is Professor of Family Law at the University of Staffordshire.

Joint Committee on Parliamentary Privilege, so we decided it would be a wasteful duplication of effort for the Law Commission to examine it as well.

Although the word "corruptly" is used in the existing legislation, it is not defined and the case law on its meaning is confused. In the interests of clarifying the law, "corruptly" should be defined.

We started with the view that an advantage is conferred corruptly if it is intended to influence an agent. We realised, however, that a definition in these terms was too broad because it would catch, for example, all corporate hospitality. We want to distinguish in our report between acceptable and unacceptable corporate entertaining by looking at the intentions and expectations of those providing the hospitality. We recommend that a person who confers an advantage should be regarded as doing so corruptly if he or she intends that an agent should do (or omit to do) something and believes that, if the agent so acts, it would probably be primarily in return for the advantage rather than for some legitimate reason.

As well as clarifying the law, we believe that our recommendations would strengthen it. For example, under the present law, an agent commits an offence by accepting a bribe or a corrupt reward but not by acting in return for the bribe or attempting to earn a reward. This seemed to us illogical, and under our recommended new offence of performing functions corruptly it would be sufficient to prove that the agent's conduct was motivated by the hope of a corrupt reward, whether or not there was any agreement to that effect. We also believe that our recommendations would modernise the law. The present law draws a distinction between public sector and private sector corruption. We have reconsidered this distinction in the light of, for example, the changing economic environment — in particular the privatisation of "public functions". We conclude that no distinction should be drawn between corruption in the two sectors.

The corrosive effect of corruption is undisputed. Our recommendations, if implemented, would play a significant part in countering that effect by punishing those guilty of corrupt behaviour and by sending a clear signal that corruption will not be tolerated.

The author is a Law Commissioner. Legislating the Criminal Code: Corruption (1998), Law Commission No 248, HC 254, is available from The Stationery Office, £16.35, and on the Internet at: <http://www.open.gov.uk/lawcom/>

New definitions to root out corruption

Corruption is a national and international problem. In the preamble of a recent convention of the Organisation for Economic Co-operation and Development (OECD), bribery is described as "a widespread phenomenon... which raises serious moral and political concerns, undermines good governance and economic development, and distorts international competitive conditions".

The growing international resolve to combat corruption — demonstrated by initiatives undertaken by, for example, the Council of Europe, the European Union and the OECD — is mirrored in efforts being made at home. The Committee on Standards in Public Life has published a number of reports, and in June 1997 the Home Office published a consultation paper on reform of the law of corruption.

The Law Commission is contributing, too, by today publishing a report and Bill in which we make proposals for the reform and modernisation of offences contained in the Prevention of Corruption Acts 1889 to 1916, and the common law offence of bribery.

The report follows a consultation paper published last year which in turn follows a recommendation, in 1976, by the Royal Commission on Standards of Conduct in Public Life that the statute law on bribery be rationalised. In 1995, the Committee on Standards in Public Life suggested in its first report that as the Government had accepted, but not implemented, that recommendation, it might be a task which the Law Commission could take forward.



STEPHEN SILBER, QC

Our proposals would involve replacing the existing law with a modern statute creating four new offences: corruptly conferring, or offering or agreeing to confer, an advantage; corruptly obtaining, soliciting or agreeing to obtain an advantage; corrupt performance by an agent of his or her functions as an agent; and receipt by an agent of a benefit which consists of, or is derived from, an advantage which the agent knows or believes to have been corruptly obtained.

We recommend that the new offences should have broad effect, with the concept of "agent" being defined in terms of anyone who has agreed to perform functions, whether for another person or for the public (or both). Although one of the uncertainties of the present law lies in its application to Members of Parliament, the report does not deal with this issue. It is a matter which is under consideration by the Home Office and the

Barbs of the Bar

ANTHONY JULIUS has a sideswipe at the cab-rank rule in his review in a Sunday newspaper last weekend of *The Justice Game* by Geoffrey Robertson.

Mr Julius, best known as lawyer to Diana, Princess of Wales, refers to Mr Robertson's luck in being on the side of the angels so many times in the cases he has landed.

The rule, which in theory obliges barristers to take cases, as they come along, could, Mr Julius says, be scrapped without damage to the Bar's independence or clients' interests.

OUTS

Overall, Mr Julius acknowledges the book's "energy and charm", though it may be "coloured by a certain smugness".

Old allies

THE membership of the new Civil Justice Council (CJC), just been announced by the Lord Chancellor, Lord Irvine of Lairg, QC, is jam-packed with the usual civil justice suspects.

It is, of course, chaired by the greatest civil justice guru of them all, Lord Woolf, the Master of the Rolls, whose idea it was to set up the council.

The CJC is charged with "promoting the needs of civil justice" and keeping the system under review.

He will certainly feel at home. Among those joining him are Henry Hodge, the deputy vice-chairman of the Legal Aid Board, and Hilary Heilbron, QC. They are all reunited after teaming up in the early 1990s to write a report on civil justice.

Then there is the Law Society's Michael Napier, the senior partner of Irwin Mitchell; Marlene Winfield, the senior policy and development

Wind-up

AN ad last Thursday announced the wind-up of one "Evershed Ltd". By 10am, the law firm Eversheds — not Evershed — had been forced to send an internal e-mail to lawyers and staff saying it was not the law firm. All offices of the firm had been beset by insolvent practitioners ringing up to offer help, including one optimist who told the switchboard to put him through to "Mr Evershed".

Fifty Cambridgeshire lawyers have launched a fast-track system for resolving disputes. Instead of going to court, clients will be encouraged to use either mediation, where a mediator will help them to hammer out a binding settlement, or arbitration, under which a binding decision can be reached within ten weeks. The schemes cover a wide range of commercial and personal disputes. Contact Mike Williams at Leeds Day, 01767 680251.

Pro and con

JOSEPHINE HAYES, who chairs the Association of Women Barristers and is taking legal action against the Attorney-General for alleged sex discrimination over the appointment of Treasury devils, has also been advising the Government on how to promote equal opportunities.

Last year Lord Irvine invited her to sit on an Equal Opportunities Joint Working Group on how to improve the system of judicial appointments.

Still time to enter for awards

JUSTICE in association with *The Times* is presenting two awards for an outstanding contribution in the criminal justice field, and an outstanding contribution in the civil justice field, including public law. The awards are open to lawyers, non-lawyers, organisations and individuals. Self-nomination is not permitted. Nominations are to be made by returning the completed coupons to Justice by the new deadline of March 12, 1998, attaching a summary of the nominee's work, plus your statement of why you think the work has been important.

NOMINATION for CIVIL JUSTICE AWARD		NOMINATION for ORIGINAL JUSTICE AWARD	
NAME	ADDRESS	NAME	ADDRESS
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FAX	ABOVE NOMINATED BY:	FAX	ABOVE NOMINATED BY:
NAME	ADDRESS	NAME	ADDRESS
POSTCODE	TEL/FAX	POSTCODE	TEL/FAX

Return to: JUSTICE, 69 CARTER LANE, LONDON EC4V 5AQ by March 12, 1998

IN-HOUSE

CAPITAL MARKETS - ITALIAN NATIONAL City
The Capital Markets arm of this leading international banking group seeks an experienced lawyer with good specialist experience. An Italian national or someone completely bilingual who is probably 2-6 years' qualified will deal with both debt and equity products. Ref: 6003. Contact: Paul Rumsdell.

COMPLIANCE - INVESTMENT BANK City
An up-and-coming and highly ambitious European bank has created a new role for a senior compliance professional whose experience should include time spent in a full-service investment bank. Ideal for someone aged 35-45 who holds a senior role but has no immediate prospects of a No. 1 job. Ref: 5929. Contact: Paul Rumsdell.

TELECOMS (1 to 4 Years' PQE) Surrey
Leading Telecom/Cable company with a strong and established in-house legal team requires a further Lawyer. The position deals with all the legal commercial aspects of the company's business i.e. Telecoms, Broadcast Services, Cable TV, etc. Good prospects. Competitive package. Ref: 5955. Contact: Richard Gawn.

TELECOMS (2 to 4 Years' PQE) Thames Valley
International Telecoms organisation with a strong reputation for growth and a competitive approach have a new role for a commercially orientated Lawyer. The work covers the varied products the company offers. Telecoms experience an advantage. Ref: 5725. Contact: Richard Gawn.

IT COMPANY (1 to 4 Years' PQE) London
Dynamic Company providing IT Services to a global market requires a junior lawyer to strengthen the established team. The company is expanding into telecoms and is flourishing. An exciting opportunity for someone with a desire to build upon their IT/TP experience. Ref: 5845. Contact: Andrew Foote.

IT CONTRACTS MANAGER Nationwide
Major IT Services Company has several openings throughout England and Scotland for capable IT professionals. The majority of work entails managing outsourcing projects, on-site at their clients' premises. The successful candidates will have the right blend of experience and management skills. Ref: 6031. Contact: Andrew Foote.

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Hong Kong Office: 602 East Town Building, 41 Lockhart Road, Hong Kong. Tel: 2520 1168 Fax: 2865 0925
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LONDON - PARTNERS

HEAD of PRIVATE CLIENT £80 - £180,000
Superb opportunity exists a private client partner to step into the shoes and client base of a departing specialist. There exist exceptional opportunities to develop an international practice. This multi-national firm, with one of central London's leading private client practices has been highly successful of regional-level recruitment offering highly competitive packages and attractive equity prospects.

CONSTRUCTION £70 - £150,000
Well structured, profitable and expanding, our client is a broadly-based commercial practice of c.20 partners and with a leading property reputation. Acting for national developers and institutions, the firm seeks an ambitious construction specialist (5 years exp) with flair and vision to tap into an underexploited client base. Immediate partnership and excellent prospects.

HEAD of INSOLVENCY £150,000+
Join the Insolvency Department of a major City firm at a key stage in its development. Servicing the firm's active corporate/banking clients as well as the unit's own insolvency practitioners and accountants the partners seek a senior specialist to head up the practice. A superb partnership opportunity requiring flair, not just following.

CORPORATE TAX £80,000+
It is not only the Chancellor who is making the figures stack up. It's also happening of this prestigious City firm in which the corporate tax group has a vital and ever expanding role. If you are 3 years' exp, possessing broad experience but not quite certain your current firm values you as much as it should, dial our number now!

INFORMATION TECHNOLOGY £100 - 250,000
If you are a senior IT lawyer, confident of your practice development skills as well as your ability to attract heavy hitting clients, yet not sure your current partnership is as keen as you would like on focusing on your area of expertise, call us now. Our client, a high profile national firm, is entirely committed to developing its IT practice and would like to talk to you.

HEAD of CORPORATE £250,000+
One of the few American firms which has really made its mark in the corporate world offers an exciting opportunity for a topflight and ambitious junior partner/associate. A group of first rate assistants handling a prestigious caseload requires a head of department who can both build on past successes and lead the team to even greater glory.

PROPERTY LITIGATION £60,000+
Having outstripped the accelerated growth of its Property Litigation team this c.20 partner Central London firm, boasting a most impressive property client portfolio, including local estates, seeks an inspirational leader to spearhead the development of this team focusing on the firm's untapped sources and your own contacts. Identify your experience should include planning disputes, immediate partnership.

HEAD of EMPLOYMENT £150,000+
While focusing initially on corporate transactions this young, innovative and highly profitable firm is experiencing such rapid growth that it seeks to capitalise on its success and develop its small employment unit. This partnership appointment provides the perfect environment for an ambitious practice developer, with management skills, to build their own team.

FINANCIAL SERVICES/REGULATORY to £180,000
Recognised as a leader in several niche fields this well located City firm seeks to further strengthen its highly rated financial services/regulatory practice, with a senior practitioner who has a proven track record and ideally some experience with OCS. An excellent opportunity to join a successful practice with all the benefits that this implies!

If you are any of the above appointments in detail, please contact Penny Kempson, Anita Gohil or Simon Egan on 0171 404 6669 (evenings/weekends 01252 715302), or write to us, in complete confidence, at 44/45 Chancery Lane, London WC2A 1LR, Fax 0171 404 8817.

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LEGAL APPOINTMENTS

SHEARMAN & STERLING

Shearman & Sterling is a leading global law firm with more than 600 lawyers in 14 offices worldwide. From our European offices in London, Paris, Frankfurt and Düsseldorf, we advise the world's leading companies and financial institutions, governments and international agencies.

Our London office now has over 45 lawyers involved in both the commercial and financing aspects of international projects and structured finance, capital markets, privatisations, and mergers and acquisitions.

We are now looking for additional UK qualified commercial and finance lawyers with between 0-6 years' post qualification experience in banking, projects or capital markets to join our office in London.

QD For further information, in complete confidence, please contact our advising consultants Seamus Hoar or Nick Shilton on 0171 485 4062 (0171 403 5727 or 0171 385 7017 evenings/weekends) or write to them at QD Legal, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171 831 6394. This assignment is being handled exclusively by QD Legal. All applications will be forwarded to them.

LITIGATION PARTNERS c.£200,000 Package

At last - an in-house opportunity for an exceptional UK or US litigation partner.

Rarely do our clients seek senior in-house lawyers for their contentious expertise.

This prestigious international company with a rapidly expanding and increasingly diverse global business seeks to appoint a worldwide head of contentious business.

The role will at once involve working closely with the highest echelons of management in the UK, the US and Asia. Solving disputes before proceedings are issued is a key task; maximising the effectiveness of external counsel when they are issued is another.

The partner sought will be a young high achiever in his or her current firm. You could have a UK or US training.

The remuneration package reflects the company's philosophy of paying what it takes to secure the best.

To find out more about this exceptional opportunity please call Joe Macrae or Lisa Owens who are handling the appointment on an exclusive basis on 0171 523 3601 (0171 359 5212 evenings/weekends). Alternatively, write to them at ZMB Industry, 37 Sun Street, London EC2M 2PY. Confidential fax 0171 523 3839. E-mail joe@zmb.co.uk ZMB Industry, a Zarak Group Company.



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SENIOR BUSINESS COUNSEL The Netherlands

GE Plastics Europe is a division of GE Plastics (USA) the world's largest manufacturer of versatile, high performance engineering thermoplastics. We are a major supplier to leading companies in major markets such as business equipment, automotive, compact disc, telecommunications and computers.

Headquartered in Bergen Op Zoom, The Netherlands, we employ over 3,500 associates in Europe. We have production plants in France, Scotland and Spain and sales offices located throughout Europe. The region has 7 lawyers who will report to the Senior Business Counsel.

Managing the legal team and working closely with central and business-line management, you will advise on a range of issues regarding commercial transactions, litigation, compliance, environmental law, employment and IP. We are an expanding company and are therefore also involved in M&A and joint ventures.

A civil law training, with exposure to common law is essential, as is 10 year's experience in a multi-national company or international law firm in Europe or the US. English plus one other European language is also sought.

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CHAMBERS

23 LONG LANE LONDON EC1A 9HL TEL: 0171-606 8844 (FAX: 0171-600 1733)

September 1998 Qualifiers
Prospects for trainees qualifying in September look promising. Last year was buoyant. Many leading firms under-recruited during the recession and now need newly qualified for the upturn. The presence of US firms has also added to the demand.

We are already arranging interviews for newly qualified banking and finance, capital markets, tax and pensions lawyers. Although the City firms have not yet formally allocated positions to their own trainees, several have already anticipated shortages in these specialties. Vacancies for corporate, commercial property, EU lawyers, litigators and private client lawyers tend to appear later in the year, from mid March to July. The same applies to other disciplines such as construction and insolvency.

For those considering leaving their present firms, now is the time to start preparations. Most newly qualified solicitors have not written cvs or undergone interviews for three or four years. We have published a guide for newly qualified which will help prepare them. It is available free of charge. We would be delighted to hear from you.

David Woolfson

CHAMBERS' DIRECTORY
Our legal directory is available from Bbco, (01403 - 710 971)

INDUSTRY Sonya Rayner, Fiona Boxall, Morwenna Lewis, Aileen Shepherd

FMCG Company: London

Sole or barr with 1-2 years' ppe to join well-known firm company as legal assist/assist co sec. Your experience should include consumer credit, product liability/safety, company/commercial, IP, health and safety and employment. EC background an advantage.

Commercial Lawyer: Eastern Europe
Lawyer, UK or overseas qualified, to run legal dept of Eastern European operations of major hi-tech company. Must have sound commercial experience and acumen.

IT/Commercial: London
Large computer company seeks solicitor with c 1-4 years' ppe with experience of IT contracts who would like the opportunity of getting involved in the business.

PRIVATE PRACTICE LONDON: David Woolfson, Simon Anderson, Paul Thomas
SOUTH: Noel Murray, Hedley Walsh **NORTH:** Suki Bahra

Telecomms Partner

Top 20 City firm with well-defined international strategy seeks telecomms partner with proven practice development skills to complement its highly regarded media practice.

Employment: City
20 partner City firm seeks 1-4 year qual employment lawyer to handle both contentious and non-contentious work and to participate in client development activity.

Commercial Property: Holborn
Top quality niche firm with friendly, informal working atmosphere seeks 0-1 year qualified solicitor for sales, acquisitions and management work.

Newly-Qualified Corporate: City
Medium-sized firm expanding at a faster rate than most of its peers on the back of major client gains offers outstanding opportunities to NQ solts.

IT Partner: West End
Large West End firm seeks partner with established practice to help develop computer, cable and electronic publishing client base. Immediate equity possible.

Charity/Property: South Wales

Charity and commercial property specialist is needed by charity with small legal department. Experience of trusts and a flexible management style is important.

Marine/Oil: Kenya

New opportunity to join a major conglomerate based in Mombasa and handle day to day legal/commercial affairs. Some experience of the shipping/oil industries would be preferable.

Legal Adviser: London
Energetic hardworking and commercially minded young lawyer to join HQ of major international manufacturing plc. Must have sound co/comm experience and enjoy working in a very fast moving stimulating environment.

Commercial Property Partner: City

Well-known medium/small property practice seeks senior solicitor with part-following for broad based, including sales, acquisitions and L & T.

Construction: WC2

Niche construction firm seeks 0-2 year qualified barrister or solicitor to handle commercial litigation with a construction bias. Re-training possible.

Indian Lawyer: City

Leading City firm with thriving Indian practice seeks Indian lawyer with high quality commercial experience. London based with regular travel.

Insurance Litigation: City

Top 20 City firm seeks two assistants with 1-5 years' experience to join a friendly team handling professional indemnity, policy disputes and Lloyd's matters.

Company/Commercial: Surrey
Pur designating firm ppe+req to specialist development of debt writing control firm. Supportive colleagues with ex-contacts will provide springboard for your success.

PRIVATE PRACTICE

CONSTRUCTION

3-5 Years' PQE
A senior assistant with contentious and non-contentious experience is sought by this leading international practice. The successful applicant will have exposure to heavy duty infrastructure programmes, such as power stations, off-shore buildings and oil and gas. The firm is essentially meritocratic and offers the genuine prospect of early partnership. Ref: 6002.

EMPLOYMENT

1-4 Years' PQE
This City firm is different from the rest and has a young, open and dynamic culture. Highly regarded for its employment law expertise, it seeks to add to its friendly team. Work is diverse, for employees and employers and is high-profile. Ref: 5137.

COMMERCIAL LITIGATION

6 Months-3 Years' PQE
This leading commercial firm with a strong European presence continues to expand and is searching for two assistants to join its close knit London team. One to handle the broad range of commercial disputes, the other will have a bias towards insolvency practice. Ref: 6024.

COMPANY/COMMERCIAL (DUBAI)

NQ-3 Years' PQE
Having completed your training in a "City" firm you will be keen to gain some international experience at this early stage of your career. Your legal and commercial skills will be enhanced through close client contact and the diversity of work on offer. Ref: 5839.

COMPANY/COMMERCIAL (MEDIA GROUP)

6 Months-3 Years' PQE
Team (1 partner and 4 assistants) in top 15 City practice handles work on behalf of media/sports and telecoms clients. The Group, which is part of a large corporate department, seeks a bright, quality-driven junior assistant with transactional experience in M&As, JVs etc and an interest in media-related work. Ref: 5989.

PLANNING

Junior and Partner
Friendly and profitable, 13 partner City firm known for its property expertise seeks planning lawyers with 1-5 years' PQE and more senior with followings. The firm acts for household names in the retail, investment and development sectors. Good partnership prospects. Ref: 6026.



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CHAMBERS

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BANKING & FINANCE

European Investment Bank Derivatives

This well-respected and established financial institution seeks an additional lawyer to join the legal department which provides advisory and transactional services to the derivatives business areas.

The current members of the team work closely together on a broad range of matters liaising on a daily basis with the front office. Ideally candidates should have 1-3 years' ppe of derivative product documentation (standard and bespoke). Some knowledge of interest rate, currency options, equities and commodities would be advantageous. Total remuneration and career development are excellent.

European Merchant Bank Structured Finance

This leading European banking group provides a wide range of investment banking, broking and corporate finance services and is highly rated.

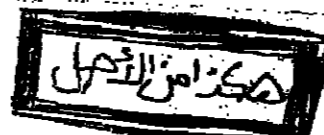
The legal department has a genuinely collegiate ethos and quality of life is still a respected concept. A further lawyer is required to join the department at a senior level (4+ years' ppe) to advise on more structured work. A strong technical knowledge of debt, taking security and structured transactions, particularly with a derivative element, would be ideal. The successful candidate will enjoy a variety of high quality work in a supportive environment.

Demand continues to grow for lawyers with knowledge of derivative products to move into investment banking. Even those with peripheral knowledge can now successfully make the transition.

There is a misconception that opportunities in this area are all ISDA documentation roles. Many of the most interesting structured transactions have a derivative component and derivative products are playing an increasing role in fund management.

Now is the perfect time to talk to us about the various opportunities available.

Chambers Banking & Finance recruit lawyers into banks and other financial institutions. For further information or for career advice, please ring Deborah Kirkman or Stuart Morton on 0171 606 8844. Confidentiality is assured.





The Moroccan port of Tangier, where Steve Bryant was arrested and, inset, his father, Peter, reading a letter from the truck driver, who has been in jail for four years

A foreign affair scandal

Today is a melancholy anniversary for Steve Bryant. The middle-aged trucker from London was arrested on March 3, 1994, in the Moroccan port of Tangier when cannabis was found in his load of frozen squid. He is now serving 12 years without remission in Sale Prison in Rabat, the capital. He is the second longest-serving British prisoner in Morocco and his case typifies what has happened to several lorry drivers convicted of being responsible for drugs found in their loads.

Paul Smith, 34, from North Yorkshire, was taken as a guest on a sailing holiday from Spain in October 1996. The boat ran aground on the Moroccan shore and, on being arrested, Paul was shocked to find that the owner had sealed cannabis in the hull long before the invitation to go sailing was made. The owner asserted his passenger's innocence but, like Bryant, Smith still received the maximum sentence.

In another Moroccan case of guilt by association, a 20-year-old Birmingham man was offered a local lift in a car, which was stopped at a roadblock, and when the owner-driver was arrested after drugs were found concealed in the panels, the passenger was also arrested and received the same sentence as the driver.

Britons are still being convicted and imprisoned abroad on dubious evidence. Stephen Jakobi describes some of the worst cases

Britons are by no means the only victims. Fair Trials Abroad (FTA) is also aware of a dozen other apparently serious and unaddressed miscarriages-of-justice cases in Morocco involving Spanish, Dutch, French and Portuguese citizens, more than half of them truckers. The cases of concern illustrate a growing international scandal. From the point of view of Europeans, the country represents the biggest miscarriage of justice problem in the world. Some statistics compiled by EU consular services last year disclosed that Morocco was holding the largest number of European prisoners outside Europe — nearly 500 out of a total of 3,000. The only country with a comparable number of European prisoners was America. Thailand, Turkey and Colombia and other drug-producing countries with immature justice systems have far fewer European prisoners, and we at FTA are aware of only a handful of possible miscarriages of justice.

In a 1996 report, FTA revealed that the

Moroccan justice system acted as a punishment system for Europeans accused of drug offences. The laws on drugs make it an absolute offence to be in possession of drugs and, in practice, to be in the company of those with drugs. Other failings of the system — such as the use of torture to obtain confessions, lack of adequate interpretation facilities during interrogation and trial, and poor standards of legal representation — lead to the inevitability of the innocent being convicted along with the guilty.

Evidence of scapegoating is also increasing at FTA. We know of three incidents involving the arrest of a mixed group of natives and Europeans where the local appeal system has resulted in the acquittal of the locals and conviction of the Europeans. Experience leads us to predict that at least 5 per cent of those charged and brought to trial in mature justice systems will be acquitted. So we have reason to be

lieve that there are at least 25 arguably innocent Europeans in Moroccan jails.

There are encouraging signs that the Moroccans themselves are unhappy with their justice system. A new reform Government is taking office after recent democratic constitutional change. The new Minister of Justice, Omar Azizman, has announced that radical reform of the judicial system is to be a government priority. Unfortunately, future plans are of little help to those who have suffered from past shortcomings. Steve Bryant is taking his case to Mary Robinson, the UN High Commissioner for Human Rights, but clearly the only realistic hope of any form of freedom for most of the victims of injustice is a speedy pardon because the system has failed them.

This is a European problem, not just a British one, so FTA has approached the Foreign Office Minister, Baroness Symons of Vernham Deane, who is at present presiding over the European Union's Council of Consular Ministers. The hope is that a collective approach to the Moroccan authorities may result in a comprehensive review of past cases, followed by the granting of a number of pardons.

There is no dignity to justice problems of this magnitude.

The author is director of Fair Trials Abroad.

Edward Fennell meets advertisers' advisers

A bold statement, yes. But is it legal?

You need to be pretty streetwise to be an advertising lawyer. You need to dot the Is, cross the Ts and don't forget the Es. It was, of course, the last that got Sony into trouble last week for its Cool Boarders 2 ad, in which the ambiguous references to drug culture were deemed likely to incur the wrath of the Advertising Standards Authority (ASA).

As William King, an advertising specialist at Macfarlanes, points out, the industry is constantly pushing the boundaries to produce eye-catching images and copy, and it is the job of the lawyer to advise on where that creative urge may clash with the largely self-regulatory codes that govern the industry.

Macfarlanes was the first firm to realise, in the 1970s, that you had to advise on the codes as well as the law, and that has remained the case ever since," says Mr King. One problem with advertising in a pluralist society, however, is judging where the threshold of public decency is crossed. The Independent Television Commission, for example, was not happy with the recent low-calorie Lucozade advertisement featuring the so-called "Fat Slags". It transpired that it was the words, not the characters, that it did not like. Once the two overweight, underdressed women were renamed "Sandra" and "Tracey", public taste and decency were re-established. But it may be too much to expect lawyers to be able to second-guess such fine discrimination.

The question for clients, then, is whether it is worth referring an ad to a lawyer in the first place. As Rafi Azim-Kahn of Theodore Goddard notes: "In-house lawyers are not dealing with these issues every day, and therefore may not be so finely tuned as to what the codes require. Also, they may be under pressure internally to give an ad the green light. That's why it may be best to go to an external adviser, who can be more objective."

Some cynics argue that advertisers will do anything for publicity, and that the public scandal generated by an ad that has to be withdrawn is actually good for business. "If the ad is designed

to have only a short life — maybe even just a single day — they may decide it's worth the risk if it succeeds in getting the message across," says Ian Yonning of Manches & Co.

In matters of taste, the number of complaints often impresses the ASA — but when it is a question of fact, it may be more clear-cut. When the *Radio Times* boasted that it was "the best all-channel magazine", it did not take many objections over its lack of listings for all satellite and cable channels to persuade the ASA to ask the publishers to drop the claim.

One of the biggest challenges the ASA faces is the Internet. Mr Azim-Kahn, who helped to advise the ASA, says: "Some people feel that the Internet is the Wild West of the advertising world. The ASA, however, would not agree with that."

Mr King recommends that responsible advertisers should take great care over how advertisements are framed for the Net. Because advertising regulation varies enormously, it is necessary to attach "health warnings" so that viewers are clear about the jurisdictions to which the ads apply.

"And then you need a mechanism to back that up," he adds, "so if you receive a response from a country in which the advertisement is illegal, you must refuse the order."

But the really hot issue, as far as Jonathan Radcliffe of Beachcroft Stanley is concerned, is comparative advertising. "For years this has been a taboo area. Now, however, as advertisers become keener to benchmark their products against each other, it is becoming a lively field in which everything from credit cards to gas supplies are being advertised comparatively. In many cases, litigation quickly follows."

Most problems focus on definitions of what constitutes honest statement as opposed to defamation. "There are so many imponderables in the law as it stands that it is difficult sometimes to judge what is acceptable," says Mr Radcliffe.

A forthcoming European Union directive may, however, provide the key to this knotty conundrum.



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BANKING INFORMATION OFFICER 3 Years + Qualified to £75,000
Had enough of fee earning but don't want to take a drop in salary? This progressive City firm, well known for employing extremely bright, outgoing solicitors, has a know-how role available with a high level of responsibility for those with good transactional banking experience. Your role will involve co-ordinating the entire department's information system, procedures, on-line systems and IT. Superb package for a highly regarded position where you will not be treated as a second class citizen. Ref: T038333.

PLANNING 3 Years + Qualified to £Partner
If you are ambitious enough to help build a planning department and to make a name for yourself in the planning field then read on. The property department of this progressive London practice is now seeking to carve out a distinct planning unit of which you will be the head. You should have some substantial expertise in the commercial planning field and a following of note. You should also be eager for a new challenge in a friendly professional environment. Ref: T03297.

COMMERCIAL PROPERTY Newly Qualified + to £58,000
Are you tired of being at the beck and call of the corporate department? This leading city/international firm is seeking to recruit an additional high calibre property lawyer to join an expanding and successful team. This firm acts for an enviable client base including retailers, developers, investment/institutional clients and property companies. Candidates must have quality technical skills together with an enthusiastic and commercial approach. Excellent rewards are on offer from a firm that is committed to the support and training of its fee earners. Ref: T068001.

CORPORATE/COMMERCIAL Excellent 1 to 3 Years Qualified to £58,000
Progressive law firm whose lawyers have lives to lead is seeking to recruit a commercial lawyer to join an expanding and successful team. The role will involve a broad range of work and the candidate will be expected to run structured deals and packages including CLOs and tax deals. This is a high profile position, the legal team interacting extensively with the front office and trading floor. Candidates should have an excellent grounding in this area and be able to cope well under pressure. Ref: T04035.P.

CORPORATE TAX 1 to 4 Years Qualified to £57,000
How taxing do you find this? A lawyer with general corporate tax experience or a junior with some relevant experience and a genuine interest in tax matters is needed by this heady based international tax, VAT and stamp duty. The range of work will cover domestic and international covering a range of industry sectors including leisure and retail. If you want a broader range of work, enjoy the marketing of a practice and wish to form part of an expanding and friendly team, this could be the answer. Ref: T20143X.

SECURITIES - IN-HOUSE Sydney 2 to 5 Years Qualified to £130,000
Leading independent trading house is looking for outstanding lawyers to front its equity warrants programme and also to provide derivatives support. The role will initially involve a broad range of work and then candidates will be expected to run structured deals and packages including CLOs and tax deals. This is a high profile position, the legal team interacting extensively with the front office and trading floor. Candidates should have an excellent grounding in this area and be able to cope well under pressure. Ref: T04035.P.

PROJECT FINANCE PARTNER Sydney
This is one of Australia's fastest growing most dynamic practices. It has a long and established reputation for the quality of work, calibre of clients and outstanding profitability. If you are a heavy hitter in the project finance area and are seeking to relocate to Sydney as a partner then this is the one for you! Applicants must be either a senior assistant or partner with a leading City or US practice and should be looking to return to this area and be able to cope well under pressure. Ref: T20173.

Please contact Michelle Green, Jonathan Wahnsley or Tanja Forster (all qualified lawyers) on 0171 417 1400 or write to GARFIELD ROBBINS at the London office for more information in complete confidence. Call Evenings Weekends 0171 586 2271 Confidential Fax 0171 417 1444. Email: michelle@garfieldrobbins.co.uk

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Pearson Television is the leading UK Independent Television producer, and the Production Division provides programmes to all the major networks in the UK.

We're currently looking for a 1997-qualifier to join our Legal and Business Affairs department. Working as part of the team responsible for UK Productions, you will be involved in a wide variety of tasks in support of the production units. A combination of legal rigour together with a commercial approach is required. This position would ideally suit someone who has had a media start during their Articles.

To apply, please write to Alex Lee, Head of Legal and Business Affairs, Worldwide Productions, Pearson Television, 1 Stephen Street, London W1P 1P, by 12 March 1998.

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March Forward

PRIVATE PRACTICE Commercial to £20K West End Firm with intl, mainly Middle Eastern & US connections seeks City or equivalent solicitor 3-5PQE or more, to join team handling JVs and financing.

Property City C 10 partner firm with household name clients seeks top notch lawyer 1-3PQE with City background to handle highest quality work for intl/UK clients.

Private Client West End: New role for lawyer 2-3PQE to deal with 80% offshore and 20% trusts. Good drafting skills & UK tax law experience. European travel likely.

Banking West End: A requirement has arisen with busy team for a banking lawyer, 4-5PQE, to deal with lending, asset and property finance and distressed debt.

Matrimonial London: Small firm with constant flow of private client instructions seeks specialist with financial settlements on divorce.

Construction/PFI City: Several solicitors with up to 5PQE sought by major firm to handle non-contentious construction, projects or PFI work.

Compliance City: US bank seeks lawyer 3-5PQE to provide advice on asset securitisation, corporate/project finance, structured credit and tax driven transactions.

Finance City: US bank seeks lawyer 3-5PQE to provide advice on asset securitisation, corporate/project finance, structured credit and tax driven transactions.

Realist City: Household name seeks several lawyers to join trading law standards group. The senior role involves policy formulation and consumer affairs.

Banking City: Italian bank seeks UK barrister/solicitor 4-5PQE ideally with in-house exp to deal with commercial banking and capital markets matters.

Derivatives City: European financial institution seeks lawyer 2PQE+ to liaise with business line, credit dept and back office. Knowledge of ISDA master agreement vital.

Company Sec London: Exciting new position managing this world leader's Secretariat Services. Top legal, organisational and administration expertise vital.

Decisions Lawyer 2-5PQE seeking in-house role, sought by intl. financial institution to handle regulatory, trading, employment and systems risk control.

Corporate Birmingham: Major firm seeks lawyers, 1-6PQE to join a team handling MBO/MBA, venture capital, Yellow/Blue Book and plc work.

Litigation City: Style firm seeks barrister from NQ-partner level. Contentious property, civil, professional indemnity or commercial experience required.

Commercial London: Two of the town's foremost firms seek quality lawyers NQ-5PQE with skills in, inter alia, employment, tax, IP/IT or commercial litigation.

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Contact: Andrew Nelson, Deborah Knowles, Lucy Boyd, Marian Lloyd-Jones

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Send a full CV: 24 MG, 25 Grosvenor Road, London SW7 5BW

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Progressive eight-partner Legal 500 Firm requires full- or part-time solicitors with at least 3 years PQE to handle specialist work in this field. Please apply with CV to Dennis Eytley, Clifton Ingram, 22-24 Broad Street, Wokingham, RG40 1BA

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- advising on a range of legal issues from complex, large-scale commercial contracts to property and employment matters;
- playing a key role in our acquisition and disposal programme; and
- co-ordinating our panel of external lawyers advising on specialist areas.

To perform this role you will need at least six years' post qualification general commercial experience, some of which should ideally have been gained in-house. Equally important is the ability to communicate clearly and effectively to people at all levels, both internally and externally.

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c. £60,000

For further information, in complete confidence, please contact Lizzie Orange on 0171 523 3822 (evenings/weekends 0181 740 4108). Confidential fax 0171 523 3823. Alternatively, write to her at ZMB Industry, 37 Sun Street, London EC2M 2PY. E-mail lizzie@zmb.co.uk All direct and third party applications will be forwarded to ZMB Industry. Closing date for applications is Monday 10th March. ZMB Industry, a Zarak Group Company.



HAPPY?

CORP FINANCE/BANKING/FINANCE To £70,000
The corporate finance banking and finance work in the London office of this top US firm is of the highest quality. The training and experience you will gain here will set you up for a super career. So the headline-making salaries, let alone the bonuses, are just the icing on the cake for 0-4 year qualified. Ref: T16565

PROJECT FINANCE To £80,000
If you want to be a project finance lawyer, this quite simply is the place to do it. The London office of this top US firm has a world-leading project finance practice with salaries to match. It is only increased to seriously good lawyers with 3-5 years' ppe who can add value to an English law capability. Ref: T33160

CORPORATE To £55,000
The top 10 City firm heads corporate leagues tables on a weekly basis, so you will see its reputation speak for itself. This is a firm where not only will you gain top-notch domestic and international experience, but will also be given the chance to enjoy and benefit from what you are doing. 1-5 years' ppe please. Ref: T14411

PROPERTY To £38,000
Young, personable, able to enjoy life outside the office - and that's just the property partners at this well-known medium-sized City firm. You too will be a young and personable 12-18 months' qualified property lawyer, and ready for hourly wages that give you every chance to have a proper social life. Ref: T46785

TAX To £65,000
Premier top 5 international City practice, with unrivalled corporate reputation seeks lawyer to join top ranked tax department. You will be given broader range of high calibre tax work and high degree of responsibility. NQ-5 years' ppe sought. Excellent City salary and prospects. Ref: T16864

COMMERCIAL PROPERTY To £50,000
This is something very unusual for a commercial property assistant with 2-4 years' ppe. Your work at this highly international medium-sized City firm will take you abroad and given the compact nature of the department, it could happen quite often. If you prove yourself, partnership is not far off. Ref: T39880

EC Brussels/London To £50,000
As this leading national firm looks to build up its Brussels office, there are very exciting opportunities for EC lawyers at all levels who want to help develop its Brussels office. You will immediately take a very responsible role, with all the many financial and other benefits that follow. Ref: T29744

PROJECTS To £60,000
Like many law firms, this top City firm is trying to build its project practice. Unlike many firms, it has the work to do it with. Especially well known for its construction and transport work, it offers lawyers with 0-5 years' ppe the chance to cut their teeth by playing major roles on some very sharp work. Ref: T46835

CAPITAL MARKETS To £Excellent
Play your part in giving this top 10 City firm's capital markets team an even higher profile and partnership and fantastic pay will very quickly be yours. The firm has an array of blue-chip clients instructing on very big ticket international work, making this perfect for all levels, including a whole team. Ref: T744

FILM PRODUCTION/FINANCE To £Partnership
The lights are on, the camera is rolling and this leading City firm is where the action is, if you want to play a starring role in its film production/finance practice. You will be 2-4 years' ppe, up to partner level, and although you do not need a following, good contacts in the industry to match the firm's are a plus. Ref: T47343

EMPLOYMENT/BENEFITS To £65,000
You will be given every help to learn new skills as an employment/benefits lawyer with 2-5 years' ppe at this medium-sized City firm. The work will be very broad, including corporate immigration, although you need to know the tax treatment of termination payments and national insurance. Ref: T46888

COMPANY/COMMERCIAL To £60,000
This highly competitive, vertically-based firm can offer a company/commercial assistant with 2-5 years' ppe a level of international work that may larger firms cannot match, as well as a nice spread of sectors, including media. Add an encouraging and relaxed atmosphere, and this could be the perfect change. Ref: T42583

COMMERCIAL LITIGATION To £60,000
This exceptionally high-profile City firm is already punching well above its weight, although it is rapidly building up too. You could be a key part of this process as the new head of commercial litigation if you can show 4-6 years' ppe, and the right skills to manage a team and develop the practice. Ref: T44271

TRANSPORT & LEISURE To £54,000
This is a job that will give your career a jump-start. Aside from being interesting and socially useful, transport work is also growing rapidly. This leading City firm is at the forefront and can offer a commercial lawyer with 18 months' ppe a challenging role seeing for some of the sector's leading names. Ref: T39999

For further information, in complete confidence, please contact Nick Shilton, Gavin Sharpe or Kate Sutcliffe (all evenings/weekends) on 0171-405 6062 (0171-385 7017 or 0171-794 8188 evenings/weekends) or write to them at QD Legal, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax: 0171-831 6394.

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Well-established London firm seeks a 5-8 years' qualified lawyer to develop the corporate side of the business. For the right person, this is a partnership opportunity with the benefit of being able to importantly influence the direction of this area of the firm's work. (Ref: T21272)

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GLOBAL M&A **EXCEPTIONAL**
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CORPORATE/FINANCE **£80,000**
Ambitious, dynamic assistant sought by European finance arm of a highly successful US corporate. Exceptional financial rewards await a high-flyer from a top City firm with at least 6 years' general banking experience, which ideally should include exposure to asset finance. (Ref: 18153)

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Major hi-tech/communications company seeks a senior property lawyer to set up and manage a property function within the legal department. Opportunity to become involved in and manage wide ranging projects. Ideal background is 4-6 years of City property experience. (Ref: 11168)

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International City firm's commercial property group seeks talented 1-3 year qualified lawyer for general commercial property work, including leases and management contracts. You will be given the chance to make a real impact on both the work of the group and your career. Ref: 20884

LIT (GERMAN) **TO £45,000**
An unparalleled opening for a bilingual English/German speaking lawyer to undertake commercial litigation work with a leading City law firm. You will take responsibility for a wide range of international work, and in return, are rewarded with superb opportunities for business development. (Ref: 10335)

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Contact Rachel Page or Andy Golding on 0171 523 3838 (0161 948 1514 evenings/weekends). Confidential fax 0171 523 3839. E-mail rachel@zmb.co.uk

INSOLVENCY HOME COUNTIES
In demand from too-demanding firms? As a senior insolvency lawyer, and with recession predicted, your skills are at a premium. Why not move out of London to this superbly run firm, fully networked and with a wide variety of clients, now looking for a team leader. (Ref: 22104)

CO/CO READING
This well known firm is seeking newly qualified company commercial solicitors with a strong academic background, and an excellent training with a large regional or City firm. In return, they offer high quality work, in-depth involvement with clients, and competitive remuneration. (Ref: 18920)

COMM LITIGATION CAMBRIDGE
Due to promotions within this excellent Cambridge firm, an unusual opportunity exists for a commercial litigator to take over a ready-made caseload. With around 4 years' PQE, gained with a City or major provincial firm, you should be a versatile litigator with good commercial aptitude. (Ref: 22158)

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For further information in complete confidence please contact Andy Catfield or Andy Golding (private practice) on 0171 523 3838 (01493 828110 evenings/weekends), Lisa Owens or Lizzie Orange (in-house) on 0171 523 3822 or Rachel Page (regional) on 0171 523 3838 (0161 948 1514 evenings/weekends). Alternatively please write to ZMB, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171 523 3839. ZMB and ZMB Industry, Zarak Group Companies.

APPOINTMENT OF A PRESIDENT OF THE LANDS TRIBUNAL

The Lord Chancellor invites suitably qualified persons to apply for the above post, which is being re-advertised because the Government has accepted the Senior Salaries Review Body recommendation to re-grade the post to a higher salary band. It is full-time and based in London. The Lands Tribunal deals with a variety of jurisdictions relating to land, including compensation claims for compulsory purchase, appeals from local Valuation Tribunals in rating and leasehold enfranchisement, and the discharge or modification of restrictive covenants.

Applicants must have held a right of audience in any class of proceedings in the Supreme Court, or in all proceedings in the county courts or Magistrates' Courts for a period of 7 years on 1 April 1998. They should normally be aged between 40 and 65. Previous relevant experience for both of the posts is essential, and previous experience in a judicial role is desirable.

The salary is £94,819 rising to £96,214 on 1 December 1998. The Lord Chancellor will appoint the candidate who appears to him to be best qualified regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or (subject to the physical requirements of the office) disability.

An application form, together with a job description and most of the criteria and further information for applicants is available by telephoning 0171 210 1464 (an answering machine will operate outside normal office hours) or by writing to:

JAD 2 (Applications Unit)
Lord Chancellor's Department
Selborne House
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LONDON SW1E 6QW


Completed application forms must be returned by noon on 27 March 1998.

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VAT decision contrary to EC law Disturbance compensation test

Regina v Commissioners of Customs and Excise, Ex parte Littlewoods Home Shopping Group Ltd

Before Lord Justice Millett, Lord Justice Mummery and Lord Justice Ward

[Judgment February 17]

A decision to charge value-added tax on outstanding balances for goods already supplied by a retailer on self-financed credit terms after the trader ceased trading or stopped trading the standard method of calculating daily gross takings or after that method was withdrawn was unlawful and contrary to Community law.

The Court of Appeal so stated in a reserved judgment when allowing an appeal by Littlewoods Home Shopping Group Ltd from the decision of the First Tribunal on January 15, 1997 of its application for judicial review of decisions of the Commissioners of Customs and Excise.

(i) of October 17, 1995 to charge VAT on outstanding goods already supplied where payment in full had not been received when a retailer who supplied goods on self-financed credit terms ceased to trade or to use the standard method of calculating daily gross takings (SMGT) or when SMGT was withdrawn; and

(ii) of November 29, 1996 to withdraw SMGT and to charge

outstanding balances at the date of its withdrawal to VAT.

The decisions had been made in the light of Commissioners of Customs and Excise v Nest (1995) STC (651) which the Court of Appeal had overruled.

Mr David Milne, QC and Mr Andrew Hitchmough for the appellants; Mr Kenneth Parker, QC and Mr Aidan Robertson for the commissioners.

LORD JUSTICE MILLETT said that the decisions were concerned with VAT on goods supplied by retailers on self-financed credit terms where payment in full had not been received. The issue was whether the commissioners' proposals for charging the outstanding balances to tax were lawful.

VAT was charged on the supply of goods and services in the UK. The liability arose at the time of supply and was assessed by reference to the consideration for the supply whether or not the consideration had been received by the supplier.

Credit was given for bad debts but no allowance for the supplier may not have become contractually due. Where goods were sold on credit, therefore, payment of the tax was due by the supplier before, and sometimes long before, payment of the consideration for the supply was due to him.

SMGT was the special method of account for daily gross takings

and it affected the manner in which the value of the goods was measured.

In his Lordship's judgment, there was no statutory basis for taxing outstanding balances on the withdrawal of SMGT or otherwise. All supplies made after the withdrawal of SMGT, or after a retailer ceased to trade or to use SMGT, had to be taxed in the normal way, that is, on the value of the supply, such value being the amount of the consideration whether or not payment was deferred.

No other basis was available for valuing the supply. Nor, after the withdrawal of SMGT, would there be any basis for charging tax by reference to payments received. The only basis for doing so would have been withdrawal.

Thereafter, tax would be chargeable on supplies in the ordinary way. But there would be no outstanding untaxed supplies. Supplies made before the withdrawal of SMGT would have been fully charged to tax under SMGT.

In his Lordship's judgment, the taxpayer was correct in saying that the quashing of the commissioners' decisions would not result in a loss of tax but that on the contrary their proposal to tax outstanding balances would result in double taxation.

His Lordship was satisfied that, as a measure of general principle, taxation of outstanding balances

on the withdrawal of SMGT would amount to double taxation and would be neither fair nor reasonable and would be incompatible with the Sixth Council Directive 77/388/EEC of May 17, 1977 on the harmonisation of the laws of the member states relating to turnover taxes (OJ 1977 L143).

It must either be a charge on receipts, contrary to article 2 of the Sixth Directive which required the tax to be charged on supplies, or it must be a further charge on supplies on the full value of which tax had already been charged. Although the Sixth Directive contained no specific prohibition of double taxation, it did in his Lordship's opinion have that effect.

Subjecting tax to supplies to further tax could be viewed in two ways: (a) as having the effect of charging tax on a sum in excess of the taxable amount defined by article 11; or (b) as having the effect of charging tax on the supplies at a rate in excess of that prescribed by article 12.

In his Lordship's judgment, the decision to charge VAT on outstanding balances was unlawful because it was without statutory authority and ultra vires and it was contrary to article 11 or article 12 of the Sixth Directive.

Lord Justice Ward and Lord Justice Mummery agreed.

Solicitors: Cuff Roberts, Liverpool; Solicitor, Customs and Excise.

Bacchiocchi v Academic Agency Ltd

Before Lord Justice Simon Brown, Lord Justice Ward and Mr Justice Moore-Bick

[Judgment February 23]

In determining whether a business tenant had occupied the premises for the whole of the five years immediately preceding the date on which he was to quit the holding, the tenant's application for a declaration that he was entitled to compensation was refused on the ground that he had not been in occupation for the last 12 days of the tenancy. He appealed.

Mr Edward Denehan for the tenant; Mr Richard Stead for the landlords.

LORD JUSTICE SIMON BROWN said that a number of cases decided under Part II of the 1954 Act considered what constituted the occupation of business premises, the most authoritative of which was *Creston Holdings Ltd v P & O Property Holdings Ltd* (1996) 1 AC 329.

In all but one, the question arose under section 23 of whether the tenant was occupying the premises for business purposes and thus entitled to continue the tenancy. Here by definition there was to be no continuation of the tenancy.

The authority closest in point was *Department of the Environment v Royal Insurance plc* (1987) 1 EGLR 83, in which it was held that the fact that the tenants under a 14-year lease had entered into occupation of the premises one day after the term began meant that they had thereby failed to occupy

entitled to compensation of £15,030 under the 1954 Act if, within section 38(2), he had occupied the premises for the whole of the five years immediately preceding the date on which he was to quit the holding.

The tenant's application for a declaration that he was entitled to compensation was refused on the ground that he had not been in occupation for the last 12 days of the tenancy. He appealed.

Mr Edward Denehan for the tenant; Mr Richard Stead for the landlords.

LORD JUSTICE SIMON BROWN said that a number of cases decided under Part II of the 1954 Act considered what constituted the occupation of business premises, the most authoritative of which was *Creston Holdings Ltd v P & O Property Holdings Ltd* (1996) 1 AC 329.

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for the whole term of 14 years within section 37(3a).

There was no distinction whatever between the present case and the *DOE* case and certainly none in principle. If the *DOE* case was correctly decided the appeal would fail.

The question was not whether the words of the statute should be construed literally or otherwise but rather what was meant in this specific context by "occupied for the purposes of a business".

Once it was recognised that premises could be occupied for the purposes of a business even when closed for the season, for holidays or repairs, as the section 23 authorities showed, it followed that section 38(2a) could be satisfied notwithstanding that the tenant came to an end during a period of closure.

What was it about a mid-term closure that did not destroy the continuity of business occupation? That was the critical question and the answer surely was that each of those events was recognisable as an incident in the ordinary course or conduct of business life.

By the same token that trading might have caused mid-term repairs, so also it might have to be delayed for the premises to be fitted out in the first place, or might have to end before the term of the lease expired so that the premises could be cleaned and handed over

with vacant possession on the due date.

Whenever business premises were empty for a short time his Lordship would be disinclined to hold that the business occupancy had ceased, or not started, for that period provided always that during it there existed no rival for the role of business occupant and that the premises were not being used for some other, non-business purpose.

That was how Part II of the 1954 Act should operate in logic and in justice. It was a recognition that the tenant's business interest would not invariably require permanent physical possession throughout the whole term of the lease.

The tenant, having planned through a misunderstanding to vacate the premises in late July, found it commercially sensible to stick to that plan. That was an incident of normal business life.

The court in the *DOE* case, like the trial judge, had paid too much attention to the words "immediately preceding" and thereby overlooked the correct approach to the concept of continuing occupation as it applied at each end of the term of a business tenancy.

Lord Justice Ward and Mr Justice Moore-Bick delivered concurring judgments.

Solicitors: Withy King & Lee, Bath; McCloy & Co, Bradford on Avon.

Journalist entrapment element in sentencing

Regina v Tonnesen

Before Lord Justice Otton, Mr Justice Wright and Mr Justice Dyson

[Judgment February 17]

Where a judge was sentencing for an offence which would not have been committed but for the involvement of an agent provocateur, he should take the element of entrapment into account, and if the entrapment was by journalists rather than police officers, even more consideration and weight should be given to that factor.

He should also mention the fact expressly when sentencing so that the public could be assured that the element of entrapment was properly reflected in the sentence imposed.

The Court of Appeal, Criminal Division, so held in allowing an appeal by Brenda Ann Tonnesen against a prison sentence of 12 months imposed in December 1997 at Lewes Crown Court (Judge Brown) on her plea of guilty to supplying a class A drug, heroin.

The sentence was reduced to six months.

Miss Jane Humphreys, assigned by the Registrar of Criminal Appeals, for the appellant.

LORD JUSTICE OTTON, giving the judgment of the court, said that the appellant, who was a heroin addict, was asked by two men where they could buy drugs in Eastbourne.

She said that drugs were widely available and the men, who it later transpired were journalists, asked her whether she would get some for them. They gave her £50 and she bought four wraps of heroin for them.

Immediately after the transaction an article appeared in the *News of the World* identifying the appellant by her name and photograph.

The police, who until then were unaware that this offence had been committed, interviewed her and she readily admitted guilt.

As a result of the article the appellant was identified by the drug fraternity in Eastbourne and was assaulted by one of them. She also received a threat to her life.

When passing sentence, the judge took into account two minor offences for possession of drugs and also that she had no previous convictions for supplying drugs of any kind. He also gave her credit for pleading guilty and said that he accepted that she had made

considerable efforts to address her problems.

On appeal, however, Miss Humphreys suggested that the judge had failed to pay sufficient regard to the involvement of the agents provocateurs.

She submitted that it was legitimate for police officers to entrap criminals but that even in those circumstances some mitigation of the sentence was possible and that, even more consideration and weight should be given to that factor when the entrapment was by journalists.

Their Lordships considered that there was substance in those submissions. There was no doubt that the appellant had used her contacts on the drug scene to supply heroin to strangers.

That was undoubtedly reprehensible and merited an immediate custodial sentence, so that it was not possible to say that the judge erred in principle. But did he give full weight to the particular circumstances in which the offence was committed?

As a result of the journalists' blunders, the appellant was led into committing her first criminal offence relating to the supply of drugs. If those men had been police officers that would have

carried mitigation to the sentence.

Different considerations applied where the tempters were investigative journalists. They were not officers of the law whose prime purpose was to detect crime, apprehend criminals and bring them to justice.

Hence the journalists' purpose was to discover the nature and extent of the drugs scene in Eastbourne and to expose it in their newspaper. Their purpose was perfectly honourable but the public might well have been left with a sense of unease that it was necessary to go to those lengths for their story, even identifying her by photograph and name and exposing her to humiliation and threats to her person.

Those were consequences which were most unfortunate and, in fairness, to reflect the element of entrapment and the unusual and exceptional circumstances which followed from it.

Following *R v Munday and Shaw* (1993) 14 Cr App R 533, 563, the circumstances of the entrapment should have been mentioned expressly in the sentencing remarks. Accordingly, their Lordships felt justified in reducing the sentence.

Expedited appeals procedure for asylum seekers

Regina v Secretary of State for the Home Department and Another, Ex parte Chowdry

Before Lord Woolf, Master of the Rolls, Lord Justice Potter and Lord Justice May

[Judgment February 2]

The expedited appeals procedure under section 1 of the Asylum and Immigration Act 1996, for asylum seekers from countries where it appeared to the Home Secretary that there was no serious risk of persecution, applied to asylum decisions made by the Home Secretary after the Act came into force even if the claims were made prior to that date.

The Court of Appeal so held in allowing the Home Secretary's appeal against the decision of Mr Justice Carnwath in the Queen's Bench Division on December 16, 1997 to quash (i) the Home Secretary's refusal on April 18, 1997 of Nargis Chowdry's claim for asylum and certifying her appeal under paragraph 5 of Schedule 2 to the Asylum and Immigration Appeals Act 1993, as substituted by

section 1 of the 1996 Act, and (ii) the dismissal by a special adjudicator on September 11, 1997 of her appeal.

Mr David Pennick, QC and Ms Lisa Giovannetti for the Home Secretary; Mr Peter Crampin, QC and Ms Bridget McVay for the applicant.

THE MASTER OF THE ROLLS said that paragraph 5 of Schedule 2 to the 1993 Act provided for an expedited procedure which cut down the right of appeal for asylum seekers if a special adjudicator agreed with the secretary of state that the claim was without foundation.

Section 1 of the 1996 Act applied those special procedures to a wider range of situations.

Under the new paragraph 5(2), the secretary of state could certify that the country to which the asylum seeker was to be sent was designated as a country in which it appeared to him that there was in general no serious risk of persecution.

If that certificate was upheld by the special adjudicator there was

no further right of appeal. In

determining that the applicant's claim was not subject to the amendment made by the 1996 Act the judge was influenced by the fact that he thought the language of the 1996 Act was unclear, he considered it would be unfair to apply the 1996 Act retrospectively and he took the view that to apply the Act to a claim which had not been determined at the date when the new Act came into force would be to give that Act a retrospective application.

In his Lordship's judgment, if the Home Secretary had, in giving a decision, relied on the provisions which were brought into effect by the 1996 Act and his decision was one which was made after the Act had come into operation, there was no reason why, on the proper interpretation of the new paragraph 5, that paragraph should not apply to the decision in any appeal which took place thereafter.

Lord Justice Potter and Lord Justice May agreed.

Solicitors: Treasury Solicitor; Saleem Sheikh, Pimlico.

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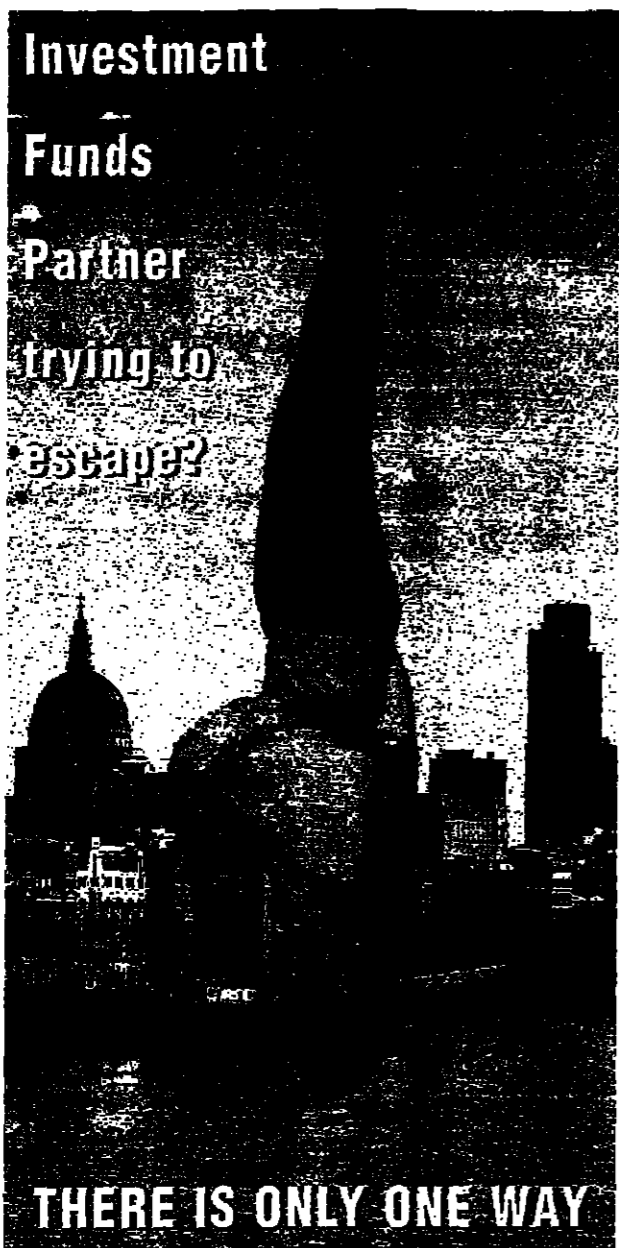
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RACING: MURPHY INDICATES PREFERENCE FOR CHAMPION HURDLE ATTEMPT

French Holly aims for crown

OF ALL THE trees that are in the wood, the holly bears the crown. It is the tree that, when it is in its season, is the most conspicuous...

brilliant — down the back straight at Sandown, for instance. He only hits them when it is in its season...



Urban Lily and Jay Harris dominate the Barcombe Selling Hurdle at Plumpton yesterday.

"If the ground were good or good to soft, the owner [Kieren Flood] would be very keen to go for the Champion," Murphy said.

RICHARD EVANS Naps Philatelic (2.50 Leicester) Robert Alner has his string in terrific form and Philatelic, ridden by Andrew Thornton...

Murphy took French Holly to Newcastle yesterday to work with three stablemates, two of them likewise fancied for their Festival targets.

It will have come as a relief to the racing public to see French Holly pottering around so happily after racing on his latest start at Huntingdon.

He proved to have only rapped a joint, having kicked the final flight out of the ground in the dismissive manner that accompanies his vast frame.

"We've looked back at all his races and every time it is the same," he said. "He is always going easily when he hits a hurdle.

RACING AHEAD Robert Wright suggests the best value in the ante-post market

Table with columns for race number, horse name, jockey, and odds. Includes entries like 'Urban Lily' and 'Jay Harris'.

THUNDERER 2.00 Duane Star, 2.30 Arctic Affair, 3.00 Last Try, 3.30 Opera Fan, 4.00 Thirty Below, 4.30 Kidrummy, 5.00 Over The Solway.

Table with columns for race name, horse name, jockey, and odds. Includes entries like 'Urban Lily' and 'Jay Harris'.

CATTERICK

2.00 Wensley Hares Only Novices Handicap Hurdle (£1,940, 2m) (11 runners)

2.30 BRIDWATER NOVICES HURDLE (£2,240, 2m) (10)

3.00 MALTON NOVICES CHASE (£2,980, 2m 3f) (10)

3.30 RYDON SELLING HANDICAP HURDLE (£1,140, 2m 3f) (16)

LINGFIELD PARK

2.10 SHAKESPEARE AMATEUR RIDERS HANDICAP (£2,930, 1m 5f) (15 runners)

2.40 TENNYSON STAKES (£2,792, 5f) (9)

3.4.0 COLLEGE STAKES (£3,355, 1m 2f) (6)

SPORT 47

4.00 BARTON NOVICES HURDLE (£2,472, 3m 1f) (15)

4.30 GRETA BRIDGE HANDICAP CHASE (£2,765, 2m) (8)

5.00 AYSGARTH INTERMEDIATE NATIONAL HUNT FLAT RACE (£1,187, 2m) (13)

3.40 KEATS HANDICAP (£3,501, 1m 2f) (11)

4.10 SHELLEY HANDICAP (£2,316, 2m) (14)

4.40 WORDSWORTH STAKES (£2,222, 1m) (8)

THUNDERER 2.20 Pepitist, 2.50 Philatelic, 3.20 Who Am I, 4.50 Ramallah, 3.20 Shekita, 4.50 The Carrot Man

FORM FOCUS 2.50 DRAGON HANDICAP CHASE (£3,501, 2m 7f 110yds) (10 runners)

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3.20 SYSTON HANDICAP CHASE (£3,431, 2m 4f 110yds) (10 runners)

3.50 RUTLAND WATER NOVICES CHASE (£4,737, 2m 7f 110yds) (6 runners)

4.20 GREAT GLEN NOVICES CHASE (£3,132, 2m 4f 110yds) (8 runners)

SHEEHAN ON BRIDGE BY ROBERT SHEEHAN, BRIDGE CORRESPONDENT

Retreat to win In the game today in Linares, the elite tournament in Linares, Spain, Vladimir Kramnik, the world No 2, annihilates a seemingly promising white initiative by means of a rook sacrifice which has, as its ultimate point, a retreating capture by a black bishop.

WORD-WATCHING By Philip Howard

KEENE ON CHESS BY RAYMOND KEENE CHESS CORRESPONDENT

White: Veselin Topalov Black: Vladimir Kramnik Linares 1998

By Raymond Keene White to play. This position is from the game Caffery - Kajumov, Hastings 1997. In this position, the well-known chess author, Bernard Caffery, demonstrated a sharp tactical eye. How did he continue?

RACELINE 0930 1684 LEICESTER, CATTERICK, LINGFIELD, 6 HOUNDS

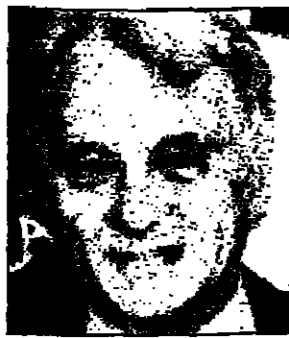
4.50 DEARHAM HANDICAP CHASE (£3,187, 2m 1f) (7 runners)

MILLOCROT a. A mill-owner b. Imperial millet c. A silver stater of Miletus

By Raymond Keene White to play. This position is from the game Caffery - Kajumov, Hastings 1997. In this position, the well-known chess author, Bernard Caffery, demonstrated a sharp tactical eye. How did he continue?

Monaco have attacking options, a midfield general and goalkeeper to fear United must proceed with caution

BOBBY ROBSON



on a tough week for English teams abroad

I HAVE not seen a lot of Manchester United recently because I have been away from England, watching football in Belgrade, Barcelona and Burkina Faso. But I do know enough about their slight loss of momentum and the quality of their opponents in the next round of the European Cup to realise that they should be very wary when they tackle AS Monaco tomorrow night.

United are not quite as dynamic as they were and they have had a number of disappointing results recently. They beat Chelsea on Saturday, but then Monaco beat Marseilles in the French Cup, too, and United might just have lost a bit of the confidence that was really buoying them up in the autumn.

I saw Monaco beat Montpellier 4-0 recently and David Trezeguet, their centre forward, took the eye as he scored a hat-trick. He has got a bit of everything and sometimes he seems as though he could run through a whole defence.

Monaco will probably play a basic 4-4-2 and they have got an embarrassment of riches in attack. They usually play the Nigerian, Victor Ikpeba, alongside Trezeguet up front and leave Thierry Henry on the bench, even though he was the top scorer in the European Cup Champions League. Jean Tigana, their manager, just uses two of them, but they will give United plenty to worry about at the back and it will be a blow if Gary Pallister is not fit.



Benarbia, right, pulls the strings in the Monaco midfield and is bound to cause problems for Manchester United tomorrow night

The player whom United really need to watch out for, though, is Ali Benarbia, who pulls all the strings in midfield. He is a great little tactician, a busy little fellow who is always chatting away in the centre of the team, digging away, getting at people all the time if they are not doing their jobs. I have seen him three times now and every time I have come away thinking "what a player".

I know that Schmeichel gets a lot of praise and gets talked about as one of the best goalkeepers in the world, but Monaco have got a great player in that position, too. I think Fabien Barthez is one of the best goalkeepers in

Europe. He is a good, confident shot-stopper and he is so quick out of his goal if anyone comes through the middle.

I have first-hand experience of the opponents of both the other English teams in European competition this week. At Barcelona last season, we had some wonderful games against Atlético Madrid, Aston Villa's opponents in the UEFA Cup quarter-final first leg tonight, and we actually beat Real Betis - who play Chelsea in Seville in the Cup Winners' Cup quarter-finals on Thursday - in the Spanish Cup final, although we went into the Champions' League.

They have to be the favourites, especially as Villa have got such an inexperienced manager in charge.

What a raw experience this is going to be for John Gregory. It will be difficult for him because, even though Atlético are not the team they were last season, they are still third in the Primera Liga, just behind Real Madrid and Barcelona. They have lost Juninho through injury and that has hurt them because he is such a fantastic player. They have still got Kiko, though, who is one of the best strikers in Spain, and Christian Vieri, who is so strong.

They would not be an easy fixture for anybody, let alone a

team that has had as many troubles as Villa have recently. They love their European football in Spain and Villa will be playing against two teams - the supporters in the stadium and the 11 players on the pitch at the Vicente Calderon.

Chelsea are in something of the same situation as Villa, going into an important game with an untested manager. Two weeks ago, Gianluca Vialli would not even have been thinking about planning for Real Betis and, even though all the scouting work will have been done, it will not be his work.

Record alerts Arsenal to Guivarch

Brian Glanville on the well-travelled striker arousing interest in England

Stephane Guivarch, the France and AJ Auxerre centre forward, seems to have become the favourite of the moment. Arsenal are said to want him, but they may face competition from other FA Cup-winning clubs.

After their recent 3-3 home draw against Norway, Aimé Jacquet, the France manager, said he was now quite satisfied with the spearhead formed by Guivarch and David Trezeguet, of AS Monaco, who Manchester United will be facing on that bumpy pitch in the European Cup tomorrow.

Goalscoring has been a problem for the France team for a long while and the fact is that neither of these players scored against Norway, while Guivarch has scored just one goal in his four appearances for the national team this season.

He may be a little surprised to find himself where he is at this point in his career. Now 28, he joined the youth team of his local club, Brest, when he was 14, but in common with other players, such as David Ginola, suddenly found himself cast adrift when Brest went bankrupt.

Ginola and others went to first division teams: Guivarch, too, went to En Avant Gungamp, of the second division, where his 14 goals did much to lift them to the senior division.

Auxerre and their wily old manager, Guy Roux, promptly bought him, but he had a frustrating first season, after which he went on loan to Rennes, taking him back to his native Brittany.

There, his 22 goals for an unfashionable club made him the top scorer in the championship, whereupon Auxerre recalled him.

The son of a centre forward who played for the local village team, Guivarch has again been prolific at club level this season, but has still really to break through in international football.

In Italy, Juventus, who receive Dynamo Kiev in the European Cup tomorrow, scored home, only 1-0 thanks to an own goal against Bari in the Stadio Delle Alpi, and still seem out of sorts. Internazionale, predictably, beat dominated Napoli 2-0 at San Siro, but the shock of the day was Roma's 4-1 thrashing of Fiorentina in the Stadio Olimpico. The Tuscan side had not lost a league match away for four months.

Marco del Vecchio, 24, who had recently been getting fit after a transfer after failing to gain a regular place, got two of Roma's goals. Paolo Scirea, the Brazilian, scored the first. Both players had come on as second-half substitutes the previous week, in Naples. Francesco Totti got the other goal to make it 4-0, a second in consecutive games after a long spell without scoring.

For Fiorentina, Gabriel Batistuta, their Argentine striker, scored after 66 minutes, but only after missing a penalty, not for the first time this season.

In Yokohama on Sunday, Japan opened the new stadium in which the 2002 World Cup final will be played. South Korea, who will be joint hosts, were the opposition, beaten 2-1 through Shoji Jo's driving header two minutes from time. In the same tournament, China squeezed through only 1-0 against Hong Kong.

Egypt's well-drilled team belied the pessimism of 300 manager by winning the final of the African Nations Cup, 2-0 against South Africa in Burkina Faso, but the team of the tournament was generally recognised to be the gifted Ghana.

In an extraordinary third-placed match, the home country were leading 4-1 against Congo until five minutes from time, only to concede three goals and eventually lose 4-2 on penalties. Philippe Troussier, the French manager of Burkina Faso, who now takes over the South Africa team, said: "We had a collective heart attack in the last five minutes of the game."

In the Bundesliga, the surprising result was Bayern Munich's 2-0 defeat at home by the unloved Cologne. Markus Muench getting the first goal after 30 minutes against his old team and creating the second by Aziz. So Katarasidze, who got a "Buster" against Karlsruhe, the African player of the year, won 2-0 against their championship rivals, Marseilles.

Villa's rising confidence reflects new regime

IN A season of gross underachievement and after a week of upheaval, it hardly seems possible that Aston Villa are adequately prepared for the first leg of their UEFA Cup quarter-final against Atlético Madrid here in the Vicente Calderon stadium this evening. Innocents abroad is the phrase that most readily comes to mind; or perhaps lambs to the slaughter.

Yet, from adversity, hope springs eternal. When the Villa party left East Midlands airport yesterday morning, there was a perceptible air of confidence among the players and hastily reconstructed managerial staff.

Brian Little, the manager, and Allan Evans, his assistant, have gone since leading Villa past Bordeaux, Athletic Bilbao and Steaua Bucharest into the last eight. John Gregory succeeded Little last Wednesday and Steve Harrison, the former Villa coach under Graham Taylor, replaced Evans on Sunday. When a director of football is appointed, within the next fortnight, the new broom will have swept clean.

Gregory and Harrison are not perhaps the "big names" that so many chairmen and supporters seem to demand. Gregory last managed with Wycombe Wanderers in the Nationwide League second division; Harrison was coaching with Preston North End when he got the call. They are bubbly characters, though, an infectious quality that has already filtered through to the camp followers. Fate may have decided their moment of fame, in unexpected and somewhat bizarre fashion, but

FROM RUSSELL KEMPSON IN MADRID

they are determined to make the most of it. And make it last, too.

"Steve is a totally committed person. He's not the sort of guy who is looking to go home at 1pm," Gregory said. "Whatever it takes to get the job done, he'll do it. He's great with players and when they come in in the morning they know there will be a smile on at least one face."

Harrison, 45, once paid for his sense of humour when he was dismissed from his simultaneous coaching positions with England, again alongside Taylor, and Millwall. A prank that would not be found in any FA coaching manual badly backfired and he swiftly disappeared into football's backwaters.

"All that happened a long time ago and I think I served my time on that one," Harrison said. "It probably put my career back a bit, but I think

"It's vital we get something," Gregory, who will be looking to Collymore and Yorke to make the most of probably limited goalscoring opportunities, said. "I'll be delighted with a draw, but if we could win it would be like a fairy-tale. It couldn't get much better than that, could it? I think I'd resign." Not for the first time yesterday, he was joking.

ASTON VILLA (probable): 3-4-3 M Bannan - U. Ekogwu, G. Saragiotto, S. Swaleson - B. Geyson, I. Taylor, M. Dupree, A. Wright - J. Joseph, D. York, S. Campbell. ATLÉTICO MADRID (possible): 4-4-2 J. F. Molina - C. Aguilera, Sarr, Andino, Toni - J.L. Gonzalez, J. Vizcaino, V. Pashovico, M. Paredes - R. Abalo, C. Vato.

Yorke: limited chances

Venables gets chance to join Palace revolution

TERRY VENABLES will decide within the next seven days whether to join the sinking ship that is Crystal Palace. The former England coach was offered a five-year contract to coach the ailing FA Carling Premiership club by Mark Goldberg, a director who is soon to become the majority shareholder, at a two-hour meeting yesterday, but asked for a week to consider his options.

With a lucrative financial package, including a sizeable share option and bonuses, on offer, there is little doubt that Venables is tempted by the incentives to return to the club where he enjoyed considerable success as manager between 1976 and 1980.

While Palace were on the up then, however, they are now rooted to the foot of the Premiership and are seven points adrift of safety with only 11 games to go. Matters are further complicated by the £30 million takeover being orchestrated by Goldberg.

BY MATT DICKINSON

who is expected to take formal charge of the club in October from Ron Noades, the chairman, provided he has produced the money promised.

Goldberg claimed that Venables had left their meeting yesterday "seriously considering" the offer to return to Selhurst Park. "I am confident that Terry will agree to join us but I don't want to tempt fate," Goldberg said. "It is up to him now. He warmed to the proposals I put before him, but he has a lot of thinking to do."

Venables, who recently sold out as chairman of Portsmouth, the Nationwide League first division club, is under contract with the Australian Football Federation until the summer and has been offered a new deal that would take him through to the 2000 Olympics in Sydney.

The difficulties in running a club in England while coaching a team on the other side of the world were apparent when Venables was at Fratton Park. So while Goldberg did not insist yesterday that Venables relinquish his Australian connections, he made it clear that he would want any dual arrangement to be as short-term as possible.

"Although I would consider him continuing with that part-time, he would need to focus on the job in hand at Palace if he joined us," he said. "He didn't want to make a five-year contract decision overnight."

"But I don't see it as at all negative that he wanted to go away and think about it. In fact, I take it as a positive sign. He could have just walked away after today's meeting. I think that he can see the opportunities ahead and that he realises that in five years we can be a club competing with the best in Europe."

Goldberg's ambitious plans include a redeveloped stadium with a 40,000 capacity and £10 million being made available for new players. Venables would work under a director of football, possibly appointed in conjunction with Juventus, the Italian champions, who are providing technical advice for Goldberg.

Steve Coppell, the present manager, is being lined up as director of football development should Venables agree to become coach. Noades would need to approve any changes, but Goldberg said last night: "Ron has an understanding with me that if Terry does accept and I am prepared to bankroll the difference between what Ron would pay and what I would pay, then he would be happy for Terry to come on board."

McAllister eases his way back after injury

BY RICHARD HOBSON

GARY McALLISTER, the Scotland and Coventry City captain, will begin his comeback tomorrow night, 11 weeks after undergoing a corallage operation.

McAllister, who is returning a month behind schedule, will play for the reserves in a Pontins League game against Notts County, although he is unlikely to feature in the FA

Cup quarter-final against Sheffield United on Saturday. Coventry feared initially that their midfield player had torn knee ligaments in the FA Carling Premiership game against Tottenham Hotspur early in December.

Liam Davis, the Coventry central defender, is also ready to return to full training after an absence of more than a year, during which he has had five knee operations.

TODAY'S FIXTURES

Table listing football fixtures for various leagues including Premier League, Championship, and others, with match times and locations.

Advertisement for William Hill featuring a 'FREE £10 BET' and 'LIVE UEFA CUP ACTION' with betting odds for Aston Villa vs Atletico Madrid.

Vertical text on the right edge of the page, including 'Clubs to pulling off England' and other fragments.



FOOTBALL 48 Manchester United given warning about Monaco's flair

SPORT

TUESDAY MARCH 3 1998

RUGBY UNION 49 Club v country: a new summer of discontent beckons

Record last-wicket stand foreshadows predictable collapse in fourth Test

England lurch to brink of defeat

FROM ALAN LEE, CRICKET CORRESPONDENT IN GEORGETOWN, GUYANA

FOR much of this tour, England have played cricket of character and commitment, offering the promise of a bright future. Yesterday, they reverted to the worst of their old habits and ineptitude...

Four times, Dinanath Ramnarine was spared, twice before he had scored. But the unlikely union survived and, with Ian Bishop striking the ball clearly and confidently, the stand created a tenth-wicket record for West Indies against England...

Battling submissively for the second time in the match, England lost their first four wickets for 28 as they set off after a notional target of 380. A second robust, responsible innings by Mark Ramprakash gained only a stay of execution and the opportunity to contemplate a fatally flawed performance.

The timing will be depressing to all concerned with the England team. Just when they seemed ready and equipped to overturn recent history and seize a series in the Caribbean, they have regressed alarmingly.

The paucity of the batting, in which only Ramprakash

Pakistan triumph 50

made a score above 30, has been compounded by a sequence of expensive errors in the field, where no fewer than 12 catches and stumpings were spurned. Games are seldom won with such profligacy.

Baffling aspects of this match have largely arisen from a pitch that has belied its appearance. Though never entirely even-tempered, eventually offering lavish turn, it has allowed periods in which batsmen of unimpressive pedigree could survive with no obvious discomfort. When allied to philanthropy from the field, as was the case yesterday morning, the cricket has been incongruous.

It had taken England 24 minutes to collect the last four West Indies wickets to fall on Sunday evening. There was a sense, then, that a wicket could fall to any ball. Yesterday morning, for ten minutes short of two hours, they could not beg or buy the final strike. The chances were there.

When play began, after the first shower since the team arrived in Guyana, Michael Atherton understandably entrusted the ball to his two spinners. It should have worked, for in the third over of the day, Ramnarine was put down at silly point by Butcher off Croft. Three overs and a six by Bishop later, Ramnarine edged Tufnell high to slip, where Hussain could only get fingertips to it.

He was to be missed twice more when on 12, the first a stumping opportunity that further reduced Russell's prospects of playing in the next Test, the second a low edge to slip put down by Thorpe. Bishop, meanwhile, moved easily within six runs of a maiden Test half-century before Russell at last dispatched Ramnarine off the deserving Headley.

It was a shoddy exhibition by England, every bit as bad as the cricket played by West Indies the previous day. The difference was that West Indies were never likely to suffer unduly for their lapses; England, already hopelessly behind in the game, were now plainly dispirited, too, which is no way to begin the quest for a formidable fourth-innings target.

West Indies, surely chastened by their third-day performance, were now buoyant and bubbling; Ambrose, a detached, disorientated figure a day earlier, had that spring in his stride that inevitably portends trouble.

Atherton, as so often, was on the receiving end. It has not been a happy match for the England captain and the lingering optimism that he might stage another of the defiant epics that made his name lasted only as long as the third



Down and almost out: Russell is grounded as Ramnarine, the West Indies No 11, hits out during his stand with Bishop yesterday. Photograph: Clive Mason/Allsport

over. Ambrose, his line precise as a laser, caught Atherton half-forward and beat him with pace, a shade of movement and, critically, lack of bounce. The leg-before decision was a formality and Atherton departed with one run to his name from this match and, worryingly, only 96 from seven innings in the series.

For a time, Ambrose was now distinctly fast and nasty. Butcher had no clear idea how he survived his first two balls, the second of which involved a rejected appeal for a catch at leg slip and a delay for painkilling spray on his forearm. If Butcher, a decidedly relaxed individual, needed a mental sharpener, here it was.



Atherton departs leg-before

Whereas Ambrose can begin a spell like a 100 metres runner exploding from the blocks, Walsh frequently starts as if out for a Sunday jog. Other than a first-ball bouncer to Atherton, he bowled three exploratory overs at little more than fast-medium before changing gear with bewildering speed to take two wickets in three balls. Stewart, too, was given leg-before on the front foot but, like Atherton, he had barely stretched beyond his crease. England, who had depended heavily on their openers to prolong hope of survival, had now lost them both for 22 and, two balls later, even their most fanciful dreams were over.

Nasser Hussain, whose recent slump has contained some obscure umpiring decisions as well as some outland-

ishly bad luck, this time needed no intervention or interpretation. His second ball from Walsh was short and his instinct was to pull. Changing his mind mid-stroke, he took his eyes off the ball but left his bat in the target area. The outcome was a gentle catch to short leg, an exultant Walsh and a retreating Hussain reflecting on an aggregate of 16 runs from four Test innings.

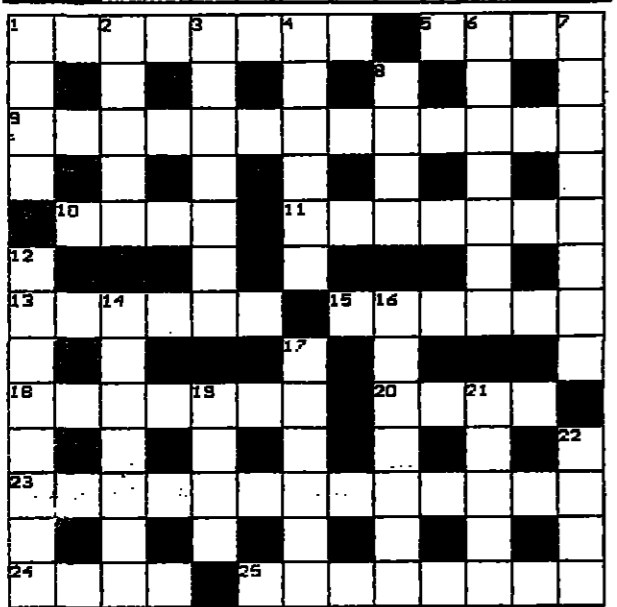
Thorpe, another whose returns have been disappointing, survived a confident appeal for a leg-side catch off Walsh before turning Ambrose to backward short leg, where Ramnarine held a fine catch. If Hooper had not fumbled a chance at second slip, with Butcher on four, England would have been 30 for five.

Instead, Butcher batted for a further hour until falling during an over in which he made Hooper look like Shane Warne, failing to lay the bat on anything and finally being dispatched leg-before. Ramprakash continued to play the spinners with felicity, but the return of Walsh dismissed him to leave England 90 for six.

SCOREBOARD FROM GEORGETOWN

Table with columns for West Indies won last, Second Innings, and Bowling. Includes player names like Campbell, Fraser, and Ambrose with their respective scores and bowling figures.

TIMES TWO CROSSWORD



No 1343

- ACROSS: 1 Benevolent; an intangible asset (8); 5 Ring of bells (4); 9 Wild with rage, fear etc (6,7); 10 Palindromic Holy Roman Emperor (4); 11 Prospero's brother (7); 13 Call in aid (6); 15 Slim, elegant; attractive (6); 18 Imperceptible (pulse) (7); 20 Wrench; haystack (4); 23 Exact lookalike (8,5); 24 Gk. god of love (4); 25 Scottish family member (8); DOWN: 1 Taunt (4); 2 Early stages (5); 3 Married state (7); 4 Gourd as bath sponge (6); 6 Everlasting (7); 7 Remnant (4-4); 8 Liquefy (4); 12 Mild aversion (8); 14 Giddiness (7); 16 Translation, adaptation (7); 17 Church praise book (6); 19 Against (to) policy (4); 21 Wide gulf (5); 22 Horse-control strap (4); SOLUTION TO NO 1342: ACROSS: 1 Socialist; 6 Arc; 8 Usper; 9 Inertia; 10 Patrol; 12 Cocca; 13 Stench; 14 Wangle; 17 Amble; 19 Eeyore; 21 Prattle; 22 Theta; 23 Nut; 24 Retroussé; DOWN: 1 Smut; 2 Cascade; 3 Art; 4 Icicle; 5 Theocracy; 6 Aitk; 7 Charade; 11 Rochester; 13 Sharpen; 15 Gardens; 16 Detect; 18 Beast; 20 Jade; 22 Too

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Desert sun inspires Burns

BY MEL WEBB

RICHARD BURNS'S crushing disappointment in the mud and chill of the Network Q RAC Rally at the end of last year was more than wiped out in the dust and heat of Kenya yesterday with his victory in the Safari Rally. It was the Englishman's first win in a world championship event.

Burns was leading as the last day of the RAC Rally dawned in November; by the end of it he was out of the rally, his car the victim of a puncture. Triumph had been snatched from his grasp when it was well in sight and the events of that final, fateful few hours haunted him for weeks.

The memories of all that were expunged yesterday when the Englishman, 30, urged his Mitsubishi Lancer over the line more than nine minutes ahead of Juha Kankkunen in his Ford Escort. Ari Vatanen, Kankkunen's team-mate, yielded second place on the last leg to allow Kankkunen to continue his tussle with Carlos Sainz at the top of the world drivers' championship. Didier Auriol, in a Toyota Corolla, was fourth.

of competitive driving in 16 stages over three days. Its comparative shortness did not mean that it was any less of a challenge, with some of the leading names in world rallying falling by the wayside in their droves.



Burns: first win

Torrucci Makinen, the world champion and Burns's team-mate, was forced out on an attritional second day, along with Colin McRae, the Scot who won last year, and his Subaru colleague, Piero Liati.

Sainz, looking for a record 22nd world championship victory, pulled out yesterday after his Toyota Corolla's rear right shock absorber snapped and the tyre caught fire. Sainz motored on but when he stopped to replace the tyre, the rear differential failed.

Kankkunen, now level with Sainz at the top of the drivers' championship on 16 points, could thank Vatanen for allowing him to maintain his battle with the Spaniard. Vatanen drove at less than ten miles an hour on the final section so that Kankkunen could move into second place. Kankkunen was matter-of-factly about his team-mate's sacrifice. "Rallying is a job to be done," he said. "We are a team. Letting others win is part of the game."

Pallister is grounded by injury

MANCHESTER United flew to Monaco yesterday for their European Cup quarter-final first leg without one of their most important players because of injury, while forgiveness almost meant another missed plane as well (Oliver Holt writes).

Having already decided to leave Gary Pallister behind, United had to wait until the last moment before friends of David Beckham rushed the England midfielder player's passport to the airport.

Pallister was substituted during the first half of United's 1-0 win over Chelsea at Stamford Bridge on Saturday and Alex Ferguson, the United manager, confirmed last night that he had aggravated an old back injury and had not been brought on the trip. United are already without Ryan Giggs, their influential winger, who has a torn hamstring. Ferguson admitted: "It is a blow for us but we will get on with it. Henning Berg and Rommy Johnsen know each other's game very well anyway and they will play together at the back instead."

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